

~~L. Child care programs in the home of the operator shall be limited to twelve (12) children including the children of the operator.))~~

**Section 42.** Subsection B of Section 23.46.004 of the Seattle Municipal Code, which subsection was reenacted by Ordinance 121828, is amended as follows:

**23.46.004 Uses.**

\* \* \*

B. Live-work units and the following commercial uses are~~((shall be))~~ permitted outright:

1. ~~((Personal and household retail-s))~~ Sales and services, general;
2. Medical services;
3. Restaurants;
4. Business support services;
5. Offices;~~((and))~~
6. Food processing and craft work; and~~((;))~~
7. Retail sales, major durables.

\* \* \*

**Section 43.** Chapter 23.47 of the Seattle Municipal Code is repealed.

**Section 44.** A new Chapter 23.47A of the Seattle Municipal Code is adopted to read as follows:

**Chapter 23.47A Commercial**

**23.47A.002 Scope of provisions.**

A. This chapter describes the authorized uses and development standards for the following zones:

Neighborhood Commercial 1 (NC1),

Neighborhood Commercial 2 (NC2),  
Neighborhood Commercial 3 (NC3),  
Commercial 1 (C1),  
Commercial 2 (C2).

B. Some land in C zones and NC zones may be regulated by Subtitle III, Division 3, Overlay Districts.

C. Other regulations, such as, and not limited to, requirements for setbacks from property lines to provide clearance for the Seattle City Light Overhead Power Distribution System located in the street right-of-way (Washington Administrative Code 296-24-960 and 296-155-428, National Electric Safety Code-2002, Rules 236 and 237, and Seattle City Light Guideline D2-3); requirements for streets, alleys and easements (Chapter 23.53); standards for parking quantity, access and design (Chapter 23.54); signs (Chapter 23.55); and methods for measurements (Chapter 23.86) may apply to development proposals. Communication utilities and accessory communication devices, except as exempted in Section 23.57.002, are subject to the regulations in this chapter and additional regulations in Chapter 23.57.

**23.47A.004 Permitted and prohibited uses.**

A. All uses are permitted outright, prohibited, or permitted as a conditional use according to Chart A and this section, except as may be otherwise provided pursuant to Division 3 of this subtitle.

B. All permitted uses are allowed as a principal use or as an accessory use, unless otherwise indicated in Chart A.

C. The Director may authorize a use not otherwise permitted in the zone in a landmark structure, subject to the following criteria:

1. The use will not require significant alteration of the structure;

2. The design of the structure makes uses permitted in the zone impractical in the structure, or the permitted uses do not provide sufficient financial return to make use of the landmark structure feasible; and

3. The physical impacts of the use will not be detrimental to other properties in the zone or vicinity or to the public interest.

#### D. Public Facilities.

1. Uses in public facilities that are most similar to uses permitted outright or permitted as a conditional use under this chapter are permitted outright or as a conditional use, respectively, subject to the same use regulations, development standards and conditional use criteria that govern the similar uses.

2. Permitted Uses in Public Facilities Requiring Council Approval. Unless specifically prohibited in Chart A, uses in public facilities that are not similar to uses permitted outright or permitted as a conditional use under this chapter, may be permitted by the City Council.

3. In all NC zones and C zones, uses in public facilities not meeting development standards may be permitted by the Council, and the Council may waive or grant departures from development standards, if the following criteria are satisfied:

a. The project provides unique services that are not provided to the community by the private sector, such as police and fire stations;

b. The proposed location is required to meet specific public service delivery needs;

c. The waiver of or departure from the development standards is necessary to meet specific public service delivery needs; and

d. The relationship of the project to the surrounding area has been considered in the design, siting, landscaping and screening of the facility.

4. The City Council's use approvals, and waivers of or grants of departures from applicable development standards or conditional use criteria, contemplated by subsections 2 and 3, are governed by the provisions of Chapter 23.76, Subchapter III, Council Land Use Decisions.

5. Expansion of Uses in Public Facilities.

a. Major Expansion. Major expansion of uses in public facilities allowed pursuant to subsections D1, D2, and D3 may be permitted according to the criteria and process in those subsections. A major expansion of a public facility use occurs when an expansion would not meet development standards or the area of the expansion would exceed either seven hundred fifty (750) square feet or ten (10) percent of the existing area of the use, whichever is greater. For the purposes of this subsection, area of use includes gross floor area and outdoor area devoted actively to that use, other than as parking.

b. Minor Expansion. An expansion of a use in a public facility that is not a major expansion is a minor expansion. Minor expansions to uses in public facilities allowed pursuant to subsections D1, D2, and D3 above may be permitted according to the provisions of Chapter 23.76, for a Type I Master Use Permit.

6. Essential Public Facilities. Permitted essential public facilities will be reviewed according to the provisions of Chapter 23.80, Essential Public Facilities.

1           E. Changes from accessory to principal use parking. On a lot where principal use  
2 parking is permitted outright, legally established accessory parking may be converted to  
3 principal use parking without a use permit or approval when the use served by the accessory  
4 parking has been discontinued. Any lawfully existing nonconformities as to development  
5 standards may be maintained.  
6

7           F. Use of accessory parking. Where principal use parking is permitted outright, legally  
8 established accessory parking may be made available to the general public as short-term parking  
9 without a separate use permit or approval.  
10

11           G. Live-work Units.

12                 1. In all NC zones and C zones live-work units are permitted outright subject to  
13 the provisions of this title.

14                 2. In pedestrian-designated zones live-work units shall not occupy more than  
15 20% of the street-level street-facing facade.  
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17                 3. In the Lake City and Bitter Lake Hub Urban Villages, live-work units shall not  
18 occupy more than 20% of the street-level street-facing facade.

19                 4. Except where expressly treated as a residential use, live-work units shall be  
20 deemed a nonresidential use.

21           H. The terms of Chart A are subject to any applicable exceptions or contrary provisions  
22 expressly set forth in this title.  
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**Chart A**  
**for Section 23.47A.004**  
**Uses in Commercial Zones**

**PERMITTED AND PROHIBITED USES BY ZONE<sup>1</sup>**

USES		NC1	NC2	NC3	C1	C2
I.	COMMERCIAL					
I.A.	Sales and services, General					
I.A.1.	Retail sales and services, General	10	25	P	P	P
I.A.2.	Retail sales, Multipurpose	10 <sup>2</sup>	50	P	P	P
I.B.	Sales and services, Heavy					
I.B.1.	Retail sales and services, Non-household	10	25	P	P	P
I.B.2.	Retail sales, Major durables	10	25	P	P	P
I.B.3.	Commercial sales, Heavy	X	X	25	P	P
I.B.4.	Commercial services, Heavy	X	X	X	P	P
I.B.5.	Wholesale showrooms	X	X	25	25	P
I.C.	Eating and drinking establishments					
I.C.1.	Restaurants	10	25	P	P	P
I.C.2.	Drinking establishments	CU (10)	CU (25)	P	P	P
I.D.	Lodging	X <sup>3</sup>	CU(25) <sup>3</sup>	P	P	P
I.E.	Entertainment					
I.E.1.	Theaters and spectator sports facilities	X	25	P	P	P
I.E.2.	Sports and recreation, Indoor	10	25	P	P	P
I.E.3.	Sports and recreation, Outdoor	X	X	X <sup>4</sup>	P	P
I.E.4.	Adult motion picture theaters	X	25	P	P	P
I.E.5.	Adult panorams	X	X	X	X	X
I.F.	Sales and services, automotive					
I.F.1.	Retail sales and services, automotive	10 <sup>5</sup>	25 <sup>5</sup>	P <sup>5</sup>	P	P
I.F.2.	Sales and rental of motorized vehicles	X	25	P	P	P
I.F.3.	Vehicle repair, major automotive	X	25	P	P	P
I.G.	Sales and services, marine					
I.G.1.	Sale and rental of large boats	X	25	P	P	P
I.G.2.	Vessel repair, minor	10	25	P	P	P

PERMITTED AND PROHIBITED USES BY ZONE <sup>1</sup>						
USES		NC1	NC2	NC3	C1	C2
I.G.3.	Vessel repair, major	X	X	X	S	S
I.G.4.	Marine service station	10	25	P	P	P
I.G.5.	Sale and rental of small boats, boat parts and accessories	10	25	P	P	P
I.H.	Animal Shelters and Kennels	X	X	X	X	P
I.I.	Office	10	25	P	35 <sup>6</sup>	35 <sup>6</sup>
I.J	Medical services <sup>7</sup>	10	25	P	P	P
I.K.	Laboratories, research and development	10	25	P	P	P
I.L.	Food processing and craft work	10	25	25	P	P
II.	TRANSPORTATION FACILITIES					
II.A.	Rail transit facilities	P	P	P	P	P
II.B.	Passenger terminals	X	X	25	P	P
II.C.	Vehicle storage and maintenance					
II.C.1.	Transportation services, Personal	X	X	P	P	P
II.C.2.	Bus base	X	X	X	CCU	CCU
II.C.3.	Railroad switchyard	X	X	X	X	X
II.D.	Transportation facilities, air					
II.D.1.	Helistops	X	X	CCU	CCU	CU
II.D.2.	Heliports	X	X	X	X	X
II.D.3.	Airports (water-based)	X	X	X	X	S
II.D.4.	Airports (land-based)	X	X	X	X	X
II.E.	Parking and moorage					
II.E.1.	Parking, principal use	X	25	P	P	P
II.E.1.a.	Park and Pool Lots	P <sup>8</sup>	P	P	P	P
II.E.1.b.	Park and Ride Lots	X	X	CU	CU	CU
II.E.2.	Towing services	X	X	X	P	P
II.E.3.	Boat moorage	S	S	S	S	S
II.E.4.	Dry boat storage	X	25	P	P	P

**PERMITTED AND PROHIBITED USES BY ZONE<sup>1</sup>**

USES		NC1	NC2	NC3	C1	C2
II.F.	Cargo terminals	X	X	X	S	P
III.	UTILITY					
III.A.	Utility Services Use	10	25	P	P	P
III.B.	Communication Utility, Minor <sup>9</sup>	P	P	P	P	P
III.C.	Communication Utility, Major <sup>9</sup>	X	X	X	CCU	CCU
III.D.	Recycling	X	X	X	P	P
III.E.	Solid waste management	X	X	X	X	X
III.F.	Sewage Treatment Plants	X	X	X	X	X
III.G.	Power Plants	X	X	X	X	X
IV.	MANUFACTURING					
IV.A.	Manufacturing, Light	X	10	25	P	P
IV.B.	Manufacturing, General	X	X	X	P	P
IV.C.	Manufacturing, Heavy	X	X	X	X	X
V.	HIGH-IMPACT USES	X	X	X	X	X
VI.	STORAGE					
VI.A.	Mini-warehouse	X	X	25	40	P
VI.B.	Warehouse	X	X	25	25	P
VI.C.	Storage, Outdoor	X	X	X <sup>10</sup>	P	P
VII.	INSTITUTIONS					
VII.A.	Institutions not listed below	10	25	P	P	P
VII.B.	Museum	10	25	P	P	P
VII.C.	Community clubs or centers	10	25	P	P	P
VII.D.	Religious Facility	P	P	P	P	P
VII.E.	Library	10	25	P	P	P
VII.F.	School, Elementary or Secondary	P	P	P	P	P
VIII.	PUBLIC FACILITIES					
VIII.A.	Jails	X	X	X	X	X
VIII.B.	Work-release centers	CCU (10)	CCU (25)	CCU	CCU	CCU
IX.	RESIDENTIAL <sup>11</sup>					
IX.A.	Residential uses not listed below	P	P	P	P	CU <sup>12</sup>
IX.B.	Caretaker's quarters	P	P	P	P	P
X.	LIVE-WORK UNITS <sup>13</sup>	P	P	P	P	P



PERMITTED AND PROHIBITED USES BY ZONE <sup>1</sup>						
USES		NC1	NC2	NC3	C1	C2
XI.	PARKS AND OPEN SPACE	P	P	P	P	P
XII.	AGRICULTURAL USES					
XII.A.	Animal Husbandry	A	A	A	A	P
XII.B.	Horticulture	10	25	P	P	P
XII.C.	Aquaculture	10	25	P	P	P
XIII.	CEMETERIES	X	X	X	X	X

**KEY**  
P = Permitted  
10 = Permitted, business establishments limited to 10,000 sq. ft., according to 23.47A.010  
20 = Permitted, business establishments limited to 20,000 sq. ft., according to 23.47A.010  
25 = Permitted, business establishments limited to 25,000 sq. ft., according to 23.47A.010  
35 = Permitted, business establishments limited to 35,000 sq. ft., according to 23.47A.010  
50 = Permitted, business establishments limited to 50,000 sq. ft., according to 23.47A.010  
S = Permitted in shoreline areas only  
A = Permitted as an accessory use only  
CU = Administrative Conditional Use (business establishment limited to the multiple of 1,000 sq. ft. of any number in parentheses, according to 23.47A.010)  
CCU = Council Conditional Use (business establishment limited to the multiple of 1,000 sq. ft. of any number in parentheses, according to 23.47A.010)  
X = Prohibited

**NOTES**

1. In pedestrian-designated zones, a portion of the street-level street-facing facade of a structure along a designated principal pedestrian street may be limited to certain uses as provided in section 23.47A.005E. In pedestrian-designated zones, drive-in lanes are prohibited (section 23.47A.028).
2. Grocery stores meeting the conditions of subsection 23.47A.010 E are permitted up to 23,000 sq. ft. in size.
3. Bed and Breakfasts in existing structures are permitted outright with no maximum size limit.
4. Permitted at Seattle Center.
5. Gas stations and other businesses with drive-in lanes are not permitted in pedestrian-designated zones (section 23.47A.028). Elsewhere in NC zones, establishing a gas station may require a demonstration regarding impacts under Section 23.47A.028.

6. Office uses in C1 and C2 zones are permitted up to the greater of 1 FAR or 35,000 square feet as provided in subsection 23.47A.010 D. Office uses in C1 and C2 zones are permitted outright with no maximum size limit if they meet the standards identified in subsection 23.47A.010 D.

7. Medical services over 10,000 sq. ft. within 2,500 feet of a medical Major Institution Overlay boundary require conditional use approval, unless they are included in a Major Institution Master Plan or dedicated to veterinary services.

8. Permitted only on parking lots existing at least 5 years prior to the establishment of the park and pool lot.

9. See Chapter 23.57 for regulation of communication utilities.

10. Permitted at Seattle Center, see 23.47A.011.

11. Residential uses may be limited to 20% of a street-level street-facing facade according to section 23.47A.005 D.

12. Residential uses are conditional uses in C2 zones under Section 23.47A.006 B3, except as otherwise provided above in Chart A or in that section.

13. Subject to subsection 23.47A.004 G.

#### **23.47A.005 Street-level uses.**

A. The requirements of this section apply in addition to the other applicable requirements of this title.

B. Parking, mini-warehouses, warehouses, or utility uses may not abut a street-level street-facing facade in a structure that contains more than one residential dwelling unit.

C. In NC zones in new structures, street-level parking must be separated from the street-level, street-facing facade by another permitted use.

D. Residential uses at street level.

1. Residential uses are generally permitted anywhere in a structure in NC1, NC2, NC3 and C1 zones, except as provided in subsections D2 and D3, below.

2. Residential uses may not occupy, in the aggregate, more than 20% of the street-level street-facing facade in the following circumstances or locations:

a. In a pedestrian-designated zone, facing a designated principal pedestrian street;

b. Within the Bitter Lake Hub Urban Village; or

c. Within the Lake City Hub Urban Village.

3. Residential uses may not exceed, in the aggregate, 20% of the street-level street-facing facade when facing an arterial or within a zone that has a height limit of eighty-five (85) feet or higher, except that residential uses may occupy 100% of the street-level street-facing facade in the following circumstances or locations:

a. Within a very low-income housing project existing as of May 1, 2006, or within a very low-income housing project replacing a very low-income housing project existing as of May 1, 2006 on the same site.

b. The residential use is an assisted living facility or nursing home and private living units are not located at street level.

c. Within the Station Area Overlay District, in which case the provisions of Chapter 23.61 apply.

d. Within the International Special Review District east of the Interstate 5 Freeway, in which case the provisions of Section 23.66.330 apply.

4. Additions. Additions to, or on-site accessory structures for, existing single-family structures are permitted outright.

5. Timing of construction of residential structures on lots subject to limits on street-level residential uses. Where residential uses at street level are limited to 20% of

the street-level street-facing facade, and an applicant proposes to locate residential uses in a street-level facade to an extent that would not be permitted if no other structures were on the lot, and proposes to include street-level nonresidential uses in a separate structure between such facade and the street, no temporary or final certificate of occupancy shall be issued for the structure(s) including such residential uses until substantial construction of the structure(s) to include such nonresidential uses is achieved and a schedule for completion thereof is presented to and approved by the Director. "Substantial construction" means, for purposes of this subsection, that the framing of the exterior walls has been inspected and approved.

E. Pedestrian-designated zones. In pedestrian-designated zones the locations of uses are regulated as follows:

1. Along designated principal pedestrian streets, uses not listed in this subsection may not exceed, in the aggregate, 20% of the street-level street-facing facade.

- a. General sales and services;
- b. Major durables retail sales;
- c. Eating and drinking establishments;
- d. Lodging uses;
- e. Theaters and spectator sports facilities;
- f. Indoor sports and recreation;
- g. Medical services;
- h. Rail transit facilities;
- i. Museum;
- j. Community clubs or centers;
- k. Religious facility;

- 1. Library;
- m. Elementary or secondary school;
- n. Parks and open space.

The establishment of any such use is subject to the applicable use provisions of this title.

2. The following streets are principal pedestrian streets when located within a pedestrian-designated zone:

- 10th Avenue;
- 11th Avenue;
- 12th Avenue;
- 15th Avenue East;
- 15<sup>th</sup> Avenue Northwest;
- 22nd Avenue Northwest;
- 23rd Avenue;
- 24th Avenue Northwest;
- 25th Avenue Northeast;
- Beacon Avenue South;
- Boren Avenue;
- Boylston Avenue;
- Broadway;
- Broadway East;
- California Avenue Southwest;
- East Green Lake Drive North;
- East Madison Street;

1	East Olive Way;
2	East Pike Street;
3	East Union Street;
4	Eastlake Avenue East;
5	First Avenue North;
6	Fremont Avenue North;
7	Fremont Place North;
8	Greenwood Avenue North;
9	Lake City Way Northeast;
10	Madison Street;
11	Martin Luther King Jr. Way South;
12	Mercer Street;
13	North 45 <sup>th</sup> Street
14	North 85th Street;
15	Northeast 43rd Street;
16	Northeast 45th Street;
17	Northeast 125th Street;
18	Northwest 85 <sup>th</sup> Street;
19	Northwest Market Street;
20	Queen Anne Avenue North;
21	Rainier Avenue South;
22	Roosevelt Way Northeast;
23	Roy Street;
24	
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South Alaska Street;  
South Henderson Street;  
South Lander Street;  
South McClellan Street;  
South Othello Street;  
Southwest Alaska Street;  
Summit Avenue;  
Terry Avenue;  
University Way Northeast;  
Wallingford Avenue North; and  
Woodlawn Avenue Northeast.

**23.47A.006 Conditional uses.**

A. All conditional uses are subject to the procedures described in Chapter 23.76, Master Use Permits and Council Land Use Decisions, and must not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located. In authorizing a conditional use, the Director or City Council may require that adverse impacts be mitigated by imposing any conditions to protect other properties in the zone or vicinity, to compensate for impacts, and to protect the public interest. The Director shall deny or recommend denial of a conditional use if the Director determines that adverse impacts cannot be mitigated satisfactorily.

B. The following uses, where identified as administrative conditional uses on Chart A of Section 23.47A.004, or other features of development identified in this Section, may be

permitted by the Director when the provisions of subsection A are met, subject to the further provisions below in this subsection:

1. Drinking establishments. Drinking establishments in NC1 and NC2 zones may be permitted as a conditional use subject to the following conditions or criteria:

a. The size of the drinking establishment, design of the structure, signing and illumination must be compatible with the character of the commercial area and other structures in the vicinity, particularly in areas where a distinct and definite pattern or style has been established.

b. The location, access and design of parking must be compatible with adjacent residential zones.

c. Special consideration will be given to the location and design of the doors and windows of drinking establishments to help ensure that noise standards will not be exceeded. The Director may require additional setbacks and/or restrict openings where the drinking establishment is located on a lot that abuts or is across from a residential zone.

d. Drinking establishments must not generate traffic that creates traffic congestion or further worsens spillover parking on residential streets.

2. Park-and-ride lots. Park-and-ride lots in NC3, C1 and C2 zones may be permitted as conditional uses subject to the following conditions or criteria:

a. The park-and-ride lot shall have direct vehicular access to a designated arterial improved to City standards.



b. If the proposed park-and-ride lot is located on a lot containing accessory parking for other uses, there must be no substantial conflict in the principal operating hours of the park-and-ride lot and other uses on the lot.

c. The Director may require landscaping and screening in addition to that required for surface parking areas, noise mitigation, vehicular access control, signage restrictions, and other measures to provide comfort and safety for pedestrians and bicyclists and to ensure the compatibility of the park-and-ride lot with the surrounding area.

3. Residential Uses in C2 zones.

a. Residential uses may be permitted in C2 zones as a conditional use subject to the following criteria:

(1) The residential use generally should not be located in an area with direct access to major transportation systems such as freeways, state routes and freight rail lines.

(2) The residential use generally should not be located in close proximity to industrial areas and/or nonresidential uses or devices that have the potential to create a nuisance or adversely affect the desirability of the area for living purposes as indicated by one of the following:

(a) The nonresidential use is prohibited in the NC3 zone;

(b) The nonresidential use or device is classified as a major noise generator; or

(c) The nonresidential use is classified as a major odor source.

(3) In making a determination to permit or prohibit residential uses in C2 zones, the Director shall take the following factors into account:

(a) The distance between the lot in question and major transportation systems and potential nuisances;

(b) The presence of physical buffers between the lot in question and major transportation systems and potential nuisance uses;

(c) The potential cumulative impacts of residential uses on the availability for nonresidential uses of land near major transportation systems; and

(d) The number, size and cumulative impacts of potential nuisances on the proposed residential uses.

b. Residential uses required to obtain a shoreline conditional use are not required to obtain an administrative conditional use permit.

c. Additions to, or on-site accessory structures for, existing residential structures are permitted outright.

4. Medical service uses. Medical service uses over ten thousand (10,000) square feet, outside but within two thousand five hundred (2,500) feet of a medical Major Institution overlay district boundary, may be approved as administrative conditional uses, except that they are permitted outright if included in an adopted master plan or dedicated to veterinary services. In order to approve a medical service use under this subsection, the Director must determine that an adequate supply of commercially zoned land for businesses serving neighborhood

1 residents will continue to exist. The following factors will be used in making this  
2 determination:

3 a. Whether the amount of medical service uses existing and proposed in  
4 the vicinity would result in an area containing a concentration of medical services  
5 with few other uses; and  
6

7 b. Whether medical service uses would displace existing neighborhood-  
8 serving commercial uses at street level or disrupt a continuous commercial street  
9 front, particularly of general sales and services uses, or significantly detract from  
10 an area's overall neighborhood-serving commercial character.  
11

12 5. Change of One Nonconforming Use to Another. A nonconforming use may be  
13 converted by an administrative conditional use authorization to a use not otherwise  
14 permitted in the zone based on the following factors:

15 a. New uses are limited to those permitted in the next more intensive  
16 zone;  
17

18 b. The relative impacts of size, parking, traffic, light, glare, noise, odor  
19 and similar impacts of the two (2) uses, and how these impacts could be  
20 mitigated.

21 c. The Director must find that the new nonconforming use is no more  
22 detrimental to property in the zone and vicinity than the existing nonconforming  
23 use.  
24

25 6. Lodging uses in NC2 zones. Lodging uses in NC2 zones are permitted up  
26 to 25,000 sq. ft., when all of the following conditions are met, except that bed and  
27 breakfasts in existing structures are permitted outright with no maximum size limit:  
28

1                   a.       The lodging use contains no more than 50 units;

2                   b.       The proposed development is subjected to City design review,  
3 whether required by SMC Chapter 23.41 or not;

4                   c.       The design of the development, including but not limited to  
5 signing and illumination, is compatible with surrounding commercial areas; and  
6

7                   d.       Auto access is via an arterial street that does not draw traffic  
8 through primarily residentially zoned areas.

9                   C. The following uses, identified as Council Conditional Uses on Chart A of Section  
10 23.47A.004, may be permitted by the Council when the conditions of subsection A of this  
11 section are met, subject to the following additional provisions:  
12

13                   1. In C1 and C2 zones, new bus bases for one hundred and fifty (150) or fewer  
14 buses, and existing bus bases that are proposed to be expanded to accommodate  
15 additional buses, according to the following standards and criteria.

16                   a. The bus base has vehicular access, suitable for use by buses, to a  
17 designated arterial improved to City standards; and  
18

19                   b. The lot includes adequate buffering from the surrounding area and the  
20 impacts created by the bus base have been effectively mitigated.

21                   c. The Council may require mitigating measures, which may include, but  
22 are not limited to:

23                               (1) Noise mitigation,

24                               (2) An employee ridesharing program,

25                               (3) Landscaping and screening,

26                               (4) Odor mitigation,  
27  
28

(5) Vehicular access controls, and

(6) Other measures to ensure the compatibility of the bus base  
with the surrounding area.

2. Helistops in NC3, C1 and C2 zones as accessory uses, according to the  
following standards and criteria:

a. The helistop is used solely for the takeoff and landing of helicopters  
serving public safety, news gathering or emergency medical care functions; is a  
public facility that is part of a City and regional transportation plan approved by  
the City Council; or is part of a City and regional transportation plan approved by  
the City Council and is not within two thousand (2,000) feet of a residential zone.

b. The helistop is located so as to minimize impacts on surrounding areas.

c. The lot includes sufficient buffering of the operations of the helistop  
from the surrounding area.

d. Open areas and landing pads are hard-surfaced.

e. The helistop meets all federal requirements, including those for safety,  
glide angles and approach lanes.

3. Work-release centers in all NC zones and C zones, according to the following  
standards and criteria:

a. Maximum Number of Residents. No work-release center may house  
more than fifty (50) persons, excluding resident staff.

b. Dispersion Criteria.

(1) Each lot line of any new or expanding work-release center  
must be located six hundred (600) feet or more from any residential zone,

any lot line of any assisted living facility, congregate residence, domestic violence shelter or nursing home, and any lot line of any school.

(2) Each lot line of any new or expanding work-release center must be located one (1) mile or more from any lot line of any other work-release center.

c. The Council's decision shall be based on the following criteria, after review by the Director and the Seattle Police Department:

(1) The applicant must demonstrate the need for the new or expanding facility in the City;

(2) The applicant must demonstrate that the facility can be made secure through a security plan to appropriately monitor and control residents, through a staffing plan for the facility, and through compliance with the security standards of the American Corrections Association;

(3) Proposed lighting must be located so as to minimize spillover light on surrounding properties while maintaining appropriate intensity and hours of use to ensure that security is maintained;

(4) The facility's landscape plan must meet the requirements of the zone while allowing visual supervision of the residents of the facility;

(5) Appropriate measures must be taken to minimize noise impacts on surrounding properties;

(6) The impacts of traffic and parking must be mitigated;

(7) The facility must be well-served by public transportation or the facility must demonstrate a commitment to a program of encouraging the use of public or private mass transportation;

(8) Verification from the Department of Corrections (DOC) must be provided that the proposed work-release center meets DOC standards for such facilities and that the facility will meet state laws and requirements.

D. Any authorized conditional use that has been discontinued shall not be re-established or recommenced except pursuant to a new conditional use permit. The following shall constitute conclusive evidence that the conditional use has been discontinued:

1. A permit to change the use of the property has been issued and the new use has been established; or

2. The property has not been devoted to the authorized conditional use for more than twenty-four (24) consecutive months. Property that is vacant, or that is used only for dead storage of materials or equipment, shall not be considered as being devoted to the authorized conditional use. The expiration of licenses necessary for the conditional use shall be evidence that the property is not being devoted to the conditional use. A conditional use in a multifamily structure or a multi-tenant commercial structure shall not be considered discontinued unless all portions of the structure are either vacant or devoted to another use.

**23.47A.007 Major Phased Developments.**

1           A. An applicant may seek approval of a Major Phased Development, as defined in  
2 Section 23.84A.025. A Major Phased Development proposal is subject to the provisions of the  
3 zone in which it is located and shall meet the following thresholds:

4                     1. A minimum site size of five (5) acres, composed of contiguous parcels or  
5 parcels divided only by one or more rights-of-way.

6                     2. The proposed project, which at time of application is a single, functionally  
7 interrelated campus, contains more than one building, with a minimum total gross floor  
8 area of two hundred thousand (200,000) square feet.

9                     3. The first phase of the development consists of at least one hundred thousand  
10 (100,000) square feet in gross building floor area.

11                    4. At the time of application, the project is consistent with the general character  
12 of development anticipated by Land Use Code regulations.

13           B. A Major Phased Development application shall be submitted, evaluated, and  
14 approved according to the following:

15                     1. The application shall contain a level of detail that is sufficient to reasonably  
16 assess anticipated impacts, including those associated with a maximum build-out, within  
17 the timeframe requested for Master Use Permit extension.

18                     2. A Major Phased Development component shall not be approved unless the  
19 Director concludes that anticipated environmental impacts, such as traffic, open space,  
20 shadows, construction impacts and air quality, are not significant or can be effectively  
21 monitored and conditions imposed to mitigate impacts over the extended life of the  
22 permit.



3. Expiration or renewal of a permit for the first phase of a Major Phased Development is subject to the provisions of Chapter 23.76, Master Use Permits and Council Land Use Decisions. The Director shall determine the expiration date of a permit for subsequent phases of the Major Phased Development through the analysis provided for above; such expiration shall be no later than fifteen (15) years from the date of issuance.

C. Changes to the approved Major Phased Development.

1. When an amendment to a Master Use Permit with a Major Phased Development component is requested, the Director shall determine whether the amendment is minor or not.

a. A minor amendment is one that meets the following criteria:

(1) Substantial compliance with the approved site plan and conditions imposed in the existing Master Use Permit with the Major Phased Development component with no substantial change in the mix of uses and no major departure from the bulk and scale of structures originally proposed; and

(2) Compliance with applicable requirements of this title in effect at the time of the original Master Use Permit approval; and

(3) No significantly greater impact would occur.

2. If the Director determines that the amendment is minor, the Director may approve a revised site plan as a Type I decision. The Master Use Permit expiration date of the original approval shall be retained.

3. If the Director determines that the amendment is not minor, the applicant may either continue under the existing MPD approval or may submit a revised MPD application. The revised application shall be the subject of a Type II decision. Only the portion of the site affected by the revision shall be subject to regulations in effect on the date of the revised MPD application, notwithstanding any provision of Chapter 23.76. The decision may retain or extend the existing expiration date on the portion of the site affected by the revision.

**23.47A.008 Street-level development standards.**

A. Basic street-level requirements.

1. The provisions of this subsection apply to:

- a. Structures in NC zones,
- b. Structures that contain a residential use in C zones, and
- c. Structures in C zones across the street from residential zones.

2. Blank facades.

a. Blank segments of the street-facing facade between two (2) feet and eight (8) feet above the sidewalk may not exceed twenty (20) feet in width.

b. The total of all blank facade segments may not exceed forty (40) percent of the width of the facade of the structure along the street.

c. Facade segments that do not include at least one of the following shall be considered blank:

- (1) Windows;
- (2) Entryways or doorways;
- (3) Stairs, stoops, or porticos;

(4) Decks or balconies; or

(5) Screening and landscaping.

3. Setbacks. Street-level street-facing facades must be located within ten (10) feet of the street lot line, unless wider sidewalks, plazas, or other approved landscaped or open spaces are provided.

B. Nonresidential street level requirements.

1. The provisions of this subsection and subsection A apply to:

a. Structures with street-level nonresidential uses in NC zones,

b. Structures with street-level nonresidential uses that also contain residential uses in C zones, and

c. Structures in C zones across the street from residential zones.

2. Transparency.

a. Sixty (60) percent of the street-facing facade between two (2) feet and eight (8) feet above the sidewalk shall be transparent.

b. Transparent areas of facades shall be designed and maintained to allow unobstructed views from the outside into the structure or, in the case of live-work units, into display windows that have a minimum thirty (30) inch depth.

3. Height and depth of nonresidential space. The following provisions apply to new structures or new additions to existing structures:

a. Nonresidential uses must extend an average of at least thirty (30) feet and a minimum of fifteen (15) feet in depth from the street-level street-facing facade, except that if the street-facing facade and depth requirements result in a space greater than fifty (50) percent of the structure's footprint, the Director shall

modify the street-facing facade or depth requirements, or both, to reduce the space to fifty (50) percent of the structure's footprint.

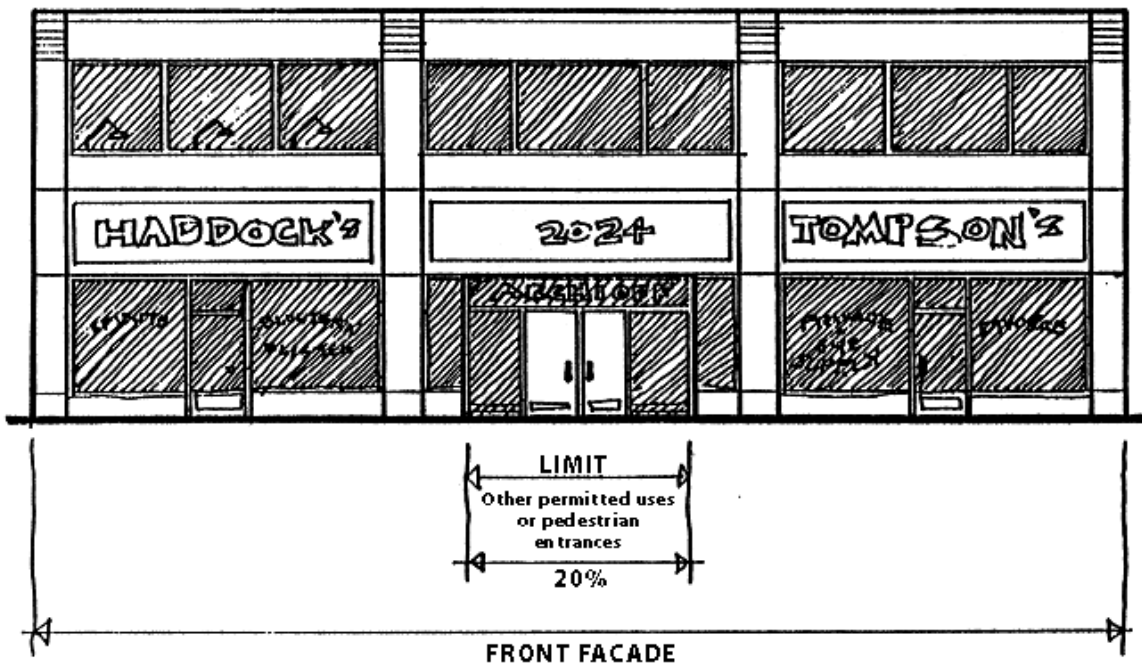
b. Nonresidential uses at street level must have a floor-to-floor height of at least thirteen (13) feet.

C. Pedestrian Designations. In pedestrian-designated zones, the following apply:

1. A minimum of eighty (80) percent of the width of a structure's street-level facade that faces a principal pedestrian street must be occupied by uses listed in 23.47A.005 E1. The remaining twenty (20) percent of the street frontage may contain other permitted uses and/or pedestrian entrances (see Exhibit 23.47A.008 A).

**Exhibit 23.47A.008 A**

Uses and pedestrian access allowed along  
street-level, street facing facades



2. For purposes of calculating the eighty (80) percent of a structure's street-level facade the width of a driveway at street level, not to exceed twenty-two (22) feet, may be subtracted from the width of the street-facing facade if the access cannot be provided from a street that is not a designated principal pedestrian street or from an alley.

3. If the street-facing facade and depth requirements result in a space greater than fifty (50) percent of the structure's footprint, the Director may modify the street-facing facade or depth requirements, or both, to reduce the space to fifty (50) percent of the structure's footprint.

D. Residential street-level requirements. Residential uses may be limited to 20% of the street-level street-facing facade under section 23.47.005. When a residential use is located on a street-level street-facing facade, the provisions of Subsection A and the following apply:

1. At least one visually prominent pedestrian-oriented entry must be located on each street-level street-facing facade containing a residential use.

2. Either the first floor of the structure at or above grade shall be at least four (4) feet above sidewalk grade or the street-level facade shall be set back at least ten (10) feet from the sidewalk.

E. Live-work unit standards. When a live-work unit is located on a street-level street-facing facade, the provisions of Subsections A and B apply, and the portion of each such live-work unit in which business is conducted must be located between the principal street and the residential portion of the live-work unit.

F. Departures: The Director may allow departures from street-level requirements of this section for projects that are not subject to the Design Review process, as a Type I decision, if the

Director determines that the project will maintain the safety and aesthetics of the streetscape for pedestrians and will:

1. Maintain pedestrian access to the structure;
2. Maintain urban form consistent with adjacent structures;
3. Maintain the visibility of nonresidential uses;
4. Maintain the privacy of residential uses; or
5. Allow the continued use of an existing structure without substantial renovation.

**23.47A.010 Maximum size of nonresidential use.**

A. Except as provided in subsection D of this section, size limits, where specified in Chart A of Section 23.47A.004, apply to the total size of a business establishment, except that if a business establishment includes more than one principal use, size limits apply separately to the size of each principal use within the business establishment as determined under this section.

B. For the purposes of this section, size of use includes the gross floor area of a structure(s), or portion of a structure(s), occupied by a principal use and all uses accessory to that use, except that

1. In NC1 and NC2 zones, any area dedicated to outdoor display of goods or equipment for rent or for sale is also included, and
2. In all zones, any gross floor area used for accessory parking is exempted from the size calculation.

C. If a business establishment is located in more than one zone:

1. If the business establishment includes only one principal use, then:

a. the size of the portion of the business establishment that is located within each zone may not exceed the size limit for that principal use for that zone; and

b. the total size of the business establishment may not exceed the largest limit for that principal use that applies in any of the zones where any part of the business establishment is located.

2. If the business establishment includes more than one principal use, size limits apply to each principal use within the business establishment separately, as follows:

a. the size of the portions of each principal use and its accessory uses that are in one zone may not exceed the size limit for that principal use for that zone; and

b. the total size of each principal use and its accessory uses may not exceed the largest limit for that principal use that applies in any of the zones where any part of that use is located.

D. In C1 and C2 zones, office uses are limited one (1) FAR, or thirty-five thousand (35,000) square feet, whichever is greater. For purposes of this subsection, size limits apply to the total amount of all office uses on a lot. Office uses are exempt from this limit if the following NC3 zone standards are met:

1. Blank facades and setbacks, per Section 23.47A.008 A;
2. Transparency, per Section 23.47A.008 B2;
3. Outdoor storage areas, per Section 23.47A.011 D;
4. Screening of blank facades and gas stations, per Section 23.47A.016 C and D2;
5. Drive-in lanes, per Section 23.47A.028;

6. Access to parking, per Section 23.47A.032 A; and

7. Location of parking, per Section 23.47A.032 B.

E. Expansion or replacement of Grocery Stores in NC1 Zones. Grocery stores in NC1 zones are limited to 10,000 square feet. As a special exception, existing grocery stores may be expanded or replaced on-site or on abutting lots up to a maximum size of twenty-three thousand (23,000) sq. ft. when all of the following conditions are met:

1. The grocery store to be expanded or replaced is legally established as of, and has continued in operation since, August 1, 2005;

2. The store is located in a zone of contiguous NC1 zoned land that is at least three (3) acres in size and the zone is at least 1,500 feet away from any NC2, NC3, C1 or C2 zone;

3. The lot abuts an arterial street and the expansion or replacement of the store is not likely to result in significant increases in traffic on non-arterial streets;

4. The expanded or replaced store will be part of a development with at least 30% (thirty percent) of the gross floor area of the structure, not including parking, in residential use; and

5. Impacts to adjacent residential areas from loading activities are mitigated using screening, buffers, or other techniques; and

6. The Director finds that the expansion or replacement is compatible with the character and scale of the area in which it is located.

**23.47A.011 Outdoor activities.**



A. Except as otherwise provided in this section, outdoor activities that are part of permitted commercial uses are permitted in NC zones or C zones, subject to any applicable standards.

B. Outdoor sales area is limited as follows:

<b>Zone</b>	<b>Maximum Size Limit of Outdoor Sales Area</b>
NC1 zones	40% of lot area or 1,500 ft <sup>2</sup> , whichever is less
NC2	40% of lot area or 10,000 ft <sup>2</sup> , whichever is less
NC3, C1 and C2 zones	No maximum size limit

C. Outdoor display areas for rental equipment are limited as follows:

<b>Zone</b>	<b>Maximum Size Limit of Outdoor Display of Rental Equipment</b>
NC1 zones	10% of lot area or 500 ft <sup>2</sup> , whichever is less
NC2 and NC3 zones	15% of lot area or 1,000 ft <sup>2</sup> , whichever is less
C1 and C2 zones	No maximum size limit

D. Outdoor storage areas are limited as follows:

<b>Zone</b>	<b>Maximum Size Limit of Outdoor Storage Area</b>
NC1 and NC2 zones, and NC3 zones, except at Seattle Center	Prohibited
NC3 zones at Seattle Center	1,000 ft <sup>2</sup> at any one location; and 10,000 ft <sup>2</sup> for the entire site.
C1 and C2 zones	No maximum size limit

E. The following outdoor activities must be located at least fifty (50) feet from a lot in a residential zone, unless the elevation of the lot with the activity is at least fifteen (15) feet above the grade of the lot in the residential zone at the common lot line:

1. Outdoor sales and/or service of food or beverages;
2. Outdoor storage;
3. Outdoor sports and recreation;

4. Outdoor loading berths.

F. Outdoor activities must be screened and landscaped according to the provisions of Section 23.47A.016.

**23.47A.012 Structure height**

A. Maximum Height. The height limit for structures in NC zones or C zones is thirty (30) feet, forty (40) feet, sixty-five (65) feet, eighty-five (85) feet, one hundred twenty-five (125) feet, or one hundred sixty (160) feet, as designated on the Official Land Use Map, Chapter 23.32. Structures may not exceed the applicable height limit, except as otherwise provided in this section. Within the South Lake Union Urban Center, any modifications or exceptions to maximum structure height are allowed solely according to the provisions of the Seattle Mixed Zone, subsections 23.48.010 B1-3, D and E, and not according to the provisions of this section.

1. In zones with a thirty (30) foot or forty (40) foot mapped height limit, except in the South Lake Union Urban Center:

a. the height of a structure may exceed the otherwise applicable limit by up to four (4) feet, subject to subsection A1c of this section, provided the following conditions are met:

(1) Either

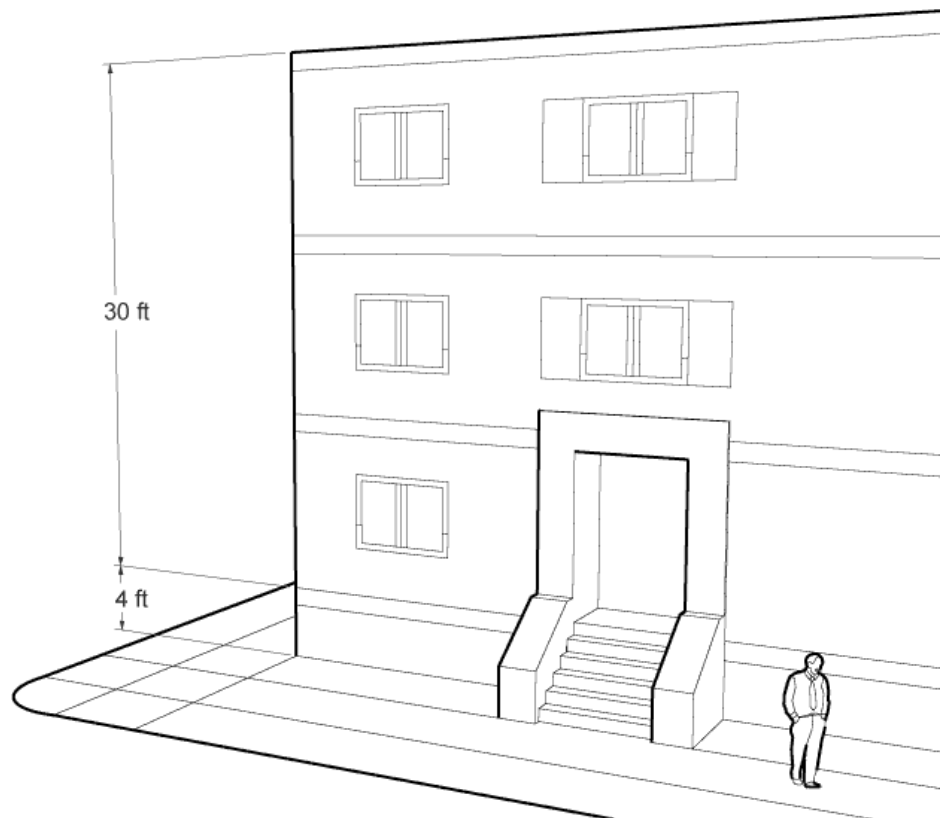
(a) A floor-to-floor height of thirteen (13) feet or more is provided for nonresidential uses at street level; or

(b) A grade-separated pedestrian entry is provided for residential uses at street level (see Exhibit 23.47A.012 A); and

(2) The additional height allowed for the structure will not allow an additional story beyond the number that could be built under the otherwise applicable height limit.

**Exhibit 23.47A.012 A**

Extra four feet of height for grade-separated residential entries.



b. The height of a structure may exceed the otherwise applicable limit by up to seven (7) feet, subject to subsection A1c of this section, provided all of the following conditions are met:

(1) Residential and multipurpose retail sales uses are located in the same structure;

(2) The total gross floor area of at least one (1) multi-purpose retail sales use exceeds twelve thousand (12,000) square feet;

(3) A floor-to-floor height of sixteen (16) feet or more is provided for the multi-purpose retail sales use at street level;

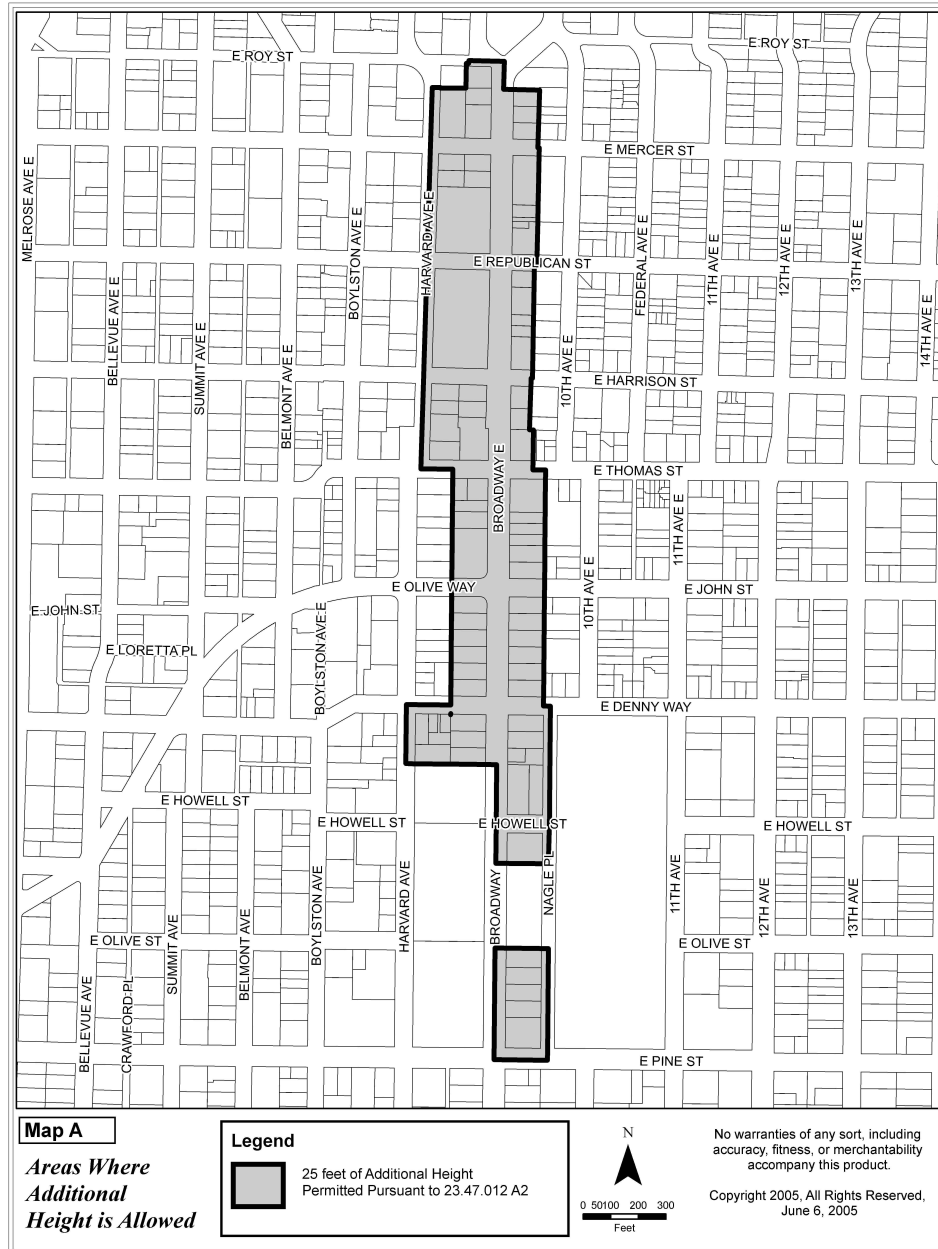
(4) The additional height allowed for the structure will not allow an additional story beyond the number that could be built under the otherwise applicable height limit if a sixteen (16) foot floor-to-floor height were not provided at street level; and

(5) The structure is not allowed additional height under subsection A1a of this section.

c. The Director shall reduce or deny the additional structure height permitted by this subsection A1 if the additional height otherwise would significantly block views from neighboring residential structures of any of the following: Mount Rainier, the Olympic and Cascade Mountains, the downtown skyline, Green Lake, Puget Sound, Lake Washington, Lake Union and the Ship Canal.

2. For any lot within the designated areas shown on Map 23.47A.012 A, the maximum structure height in NC zones or C zones with a forty (40) foot height limit may be increased to sixty-five (65) feet, provided that all portions of the structure above forty (40) feet contain only residential uses, and provided that no additional height is allowed under subsection A1 of this section.

## Map 23.47A.012 A

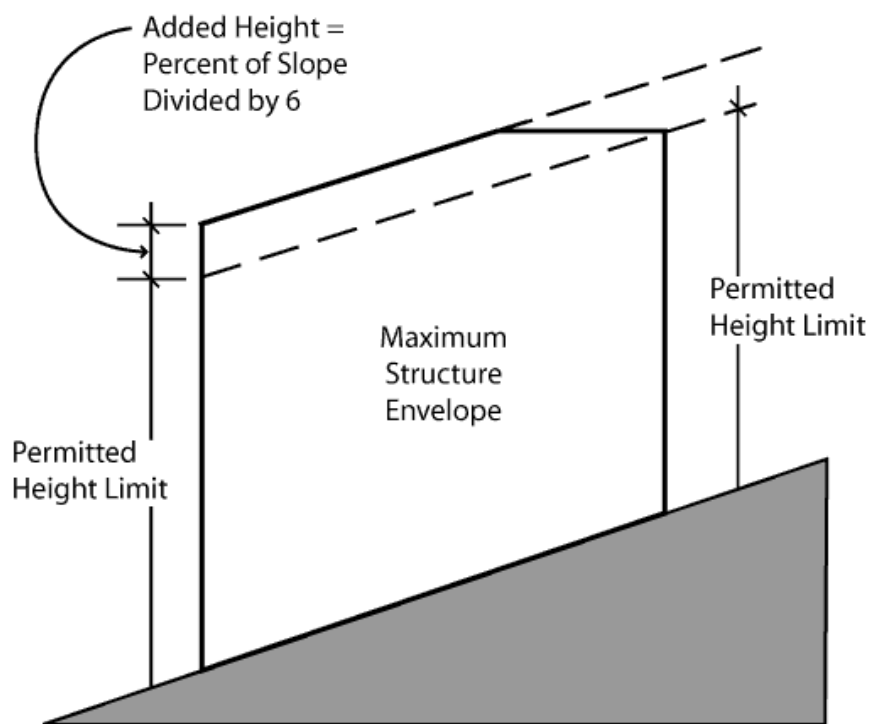


3. Monorail transit facilities may exceed the height limit of the zone according to the provisions of Section 23.80.004 or Section 15.54.020.

4. Within the South Lake Union Urban Center, maximum structure height shall be determined according to the provisions of the Seattle Mixed Zone, Section 23.48.010.

B. Sloped Lots. On sloped lots, except in the South Lake Union Urban Center, additional height is permitted along the lower elevation of the structure footprint, at the rate of one (1) foot for each six (6) percent of slope, to a maximum additional height of five (5) feet (see Exhibit 23.47A.012 B ) above the otherwise applicable height limit.

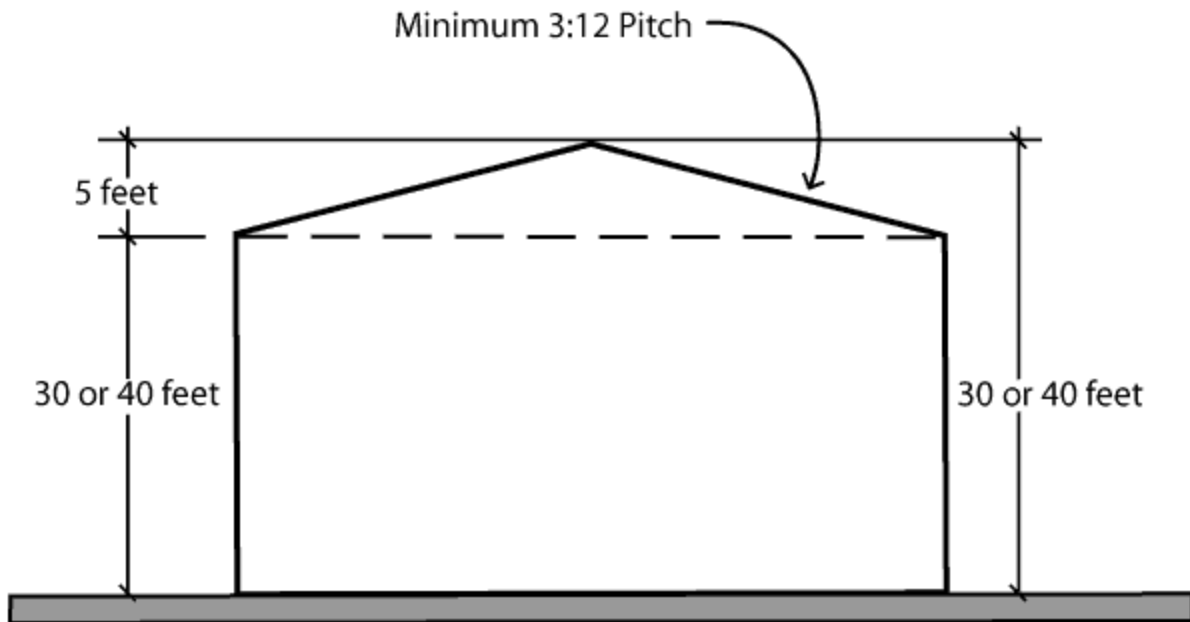
**Exhibit 23.47A.012 B**  
Height Limits on Sloped Sites



C. Pitched Roofs. The ridge of a pitched roof, other than a shed roof or butterfly roof, may extend up to five (5) feet above the otherwise applicable height limit in zones with height

limits of thirty (30) or forty (40) feet, if all parts of the roof above the otherwise applicable height limit are pitched at a rate of not less than three to twelve (3:12) (Exhibit 23.47A.012 C ).

**Exhibit 23.47A.012 C**  
Pitched Roof Height Exception



**D. Rooftop Features.**

1. Smokestacks, chimneys, flagpoles, and religious symbols for religious institutions are exempt from height controls, except as regulated in Chapter 23.64, Airport Height Overlay District, provided they are a minimum of ten (10) feet from any side or rear lot line.

2. Open railings, planters, skylights, clerestories, greenhouses, parapets and firewalls may extend as high as the highest ridge of a pitched roof permitted by subsection C or up to four (4) feet above the otherwise applicable height limit, whichever is higher.

3. Solar Collectors.

a. In zones with mapped height limits of thirty (30) or forty (40) feet, solar collectors may extend up to four (4) feet above the otherwise applicable height limit, with unlimited rooftop coverage.

b. In zones with height limits of sixty-five (65) feet or more, solar collectors may extend up to seven (7) feet above the otherwise applicable height limit, with unlimited rooftop coverage.

4. The following rooftop features may extend up to fifteen (15) feet above the otherwise applicable height limit, so long as the combined total coverage of all features listed in this subsection does not exceed twenty (20) percent of the roof area or twenty-five (25) percent of the roof area if the total includes stair or elevator penthouses or screened mechanical equipment:

a. Solar collectors;

b. Stair and elevator penthouses;

c. Mechanical equipment;

d. Play equipment and open-mesh fencing that encloses it, as long as the fencing is at least fifteen (15) feet from the roof edge; and

e. Minor communication utilities and accessory communication devices, except that height is regulated according to the provisions of Section 23.57.012.

5. Within the South Lake Union Urban Center, the combined total coverage of all features listed in subsection D4 may be increased to sixty-five (65) percent of the roof area, provided that the following are satisfied:



a. The additional rooftop coverage allowed by this subsection is used to accommodate mechanical equipment that is accessory to a research and development laboratory; and

b. All mechanical equipment is screened; and

c. No rooftop features are located closer than ten (10) feet from the roof edge.

6. The rooftop features listed in this subsection D6 must be located at least ten (10) feet from the north edge of the roof unless a shadow diagram is provided that demonstrates that locating such features within ten (10) feet of the north edge of the roof would not shade property to the north on January 21st at noon more than would a structure built to maximum permitted height and FAR:

a. Solar collectors;

b. Planters;

c. Clerestories;

d. Greenhouses;

e. Minor communication utilities and accessory communication devices, permitted according to the provisions of Section 23.57.012;

f. Non-firewall parapets;

g. Play equipment.

7. Structures existing prior to May 10, 1986 may add new or replace existing mechanical equipment up to fifteen (15) feet above the roof elevation of the structure and shall comply with the noise standards of Section 23.47A.018.

8. For height limits and exceptions for communication utilities and accessory communication devices, see Section 23.57.012.

E. Solar Retrofits. The Director may permit the retrofitting of solar collectors on conforming or nonconforming structures existing on June 9, 1986 as a special exception pursuant to Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions. Such a retrofit may be permitted to exceed established height limits, if the following conditions are met:

1. There is no feasible alternative solution to placing the collector(s) on the roof;
2. The positioning of such collector(s) minimizes view blockage and shading of property to the north, while still providing adequate solar access for the collectors; and
3. Such collector(s) meet minimum energy standards administered by the Director.

F. Height Exceptions for Public Schools.

1. For new public school construction on new public school sites, the maximum permitted height shall be the maximum height permitted in the zone.

2. For new public school construction on existing public school sites, the maximum permitted height shall be the maximum height permitted in the zone or thirty-five (35) feet plus fifteen (15) feet for a pitched roof complying with subsection F5, whichever is greater.

3. For additions to existing public schools on existing public school sites, the maximum height permitted shall be the maximum height permitted in the zone, the height of the existing school, or thirty-five (35) feet plus fifteen (15) feet for a pitched roof complying with subsection F5, whichever is greater.

4. Development standard departure for structure height may be granted pursuant to the procedures and criteria set forth in Chapter 23.79. For construction of new structures on new and existing public school sites to the extent not otherwise permitted outright, maximum height that may be granted as a development standard departure in zones with height limits of thirty (30) or forty (40) feet shall be thirty-five (35) feet plus fifteen (15) feet for a pitched roof complying with subsection F5 for elementary schools and sixty (60) feet plus fifteen (15) feet for a pitched roof complying with subsection F5 for secondary schools. All height maximums may be waived by the Director when waiver would contribute to the demolition of fewer residential structures.

5. To qualify for additional height for a pitched roof under this subsection F, all parts of the roof above the height otherwise allowed must be pitched at a rate of not less than three to twelve (3:12) and the roof must not be a shed roof or butterfly roof.

**23.47A.013 Floor area ratio.**

A. Floor area ratio (FAR) limits apply to all structures and lots in all NC zones and C zones.

1. All gross floor area not exempt under subsection D of this Section is counted against the maximum gross floor area allowed by the permitted FAR.

2. When there are multiple structures on a lot, the highest FAR limit applicable to any structure on the lot applies to the combined non-exempt gross floor area of all structures on the lot, subject to subsection A4 of this section.

3. Above-grade parking within or covered by a structure or portion of a structure must be included in gross floor area calculations.

4. When a lot is in more than one zone, the FAR limit for each zone applies to the portion of the lot located in that zone.

B. Except as provided in subsections C and D of this section, maximum FAR allowed in C zones and NC zones is shown in Chart A.

**Chart A: Maximum Floor Area Ratio (FAR) Outside of the Station Area**

**Overlay District**

	Height Limit					
	30'	40'	65'	85'	125'	160'
	Maximum FAR					
1. For residential or nonresidential structures.	2.25	3	4.25	4.5	5	5
2. For structures containing both residential and nonresidential uses.	2.5	3.25	4.75	6	6	7

C. Maximum FAR allowed in NC zones or C zones within the Station Area Overlay District is shown in Chart B.

**Chart B: Maximum Floor Area Ratio (FAR) in the Station Area Overlay**

**District**

	Height Limit					
	30'	40'	65'	85'	125'	160'
	Maximum FAR					
Maximum FAR	3	4	5.75	6	6	7

D. The following floor area is exempt from calculation of gross floor area subject to FAR limits:

1. All gross floor area below existing or finished grade, whichever is lower;

2. Gross floor area of a transit station, including all floor area open to the general public during normal hours of station operation but excluding retail or service establishments to which public access is limited to customers or clients, even where such establishments are primarily intended to serve transit riders;

3. Within the South Lake Union Urban Center, gross floor area occupied by mechanical equipment located on the roof of a structure;

4. Within the South Lake Union Urban Center, mechanical equipment that is accessory to a research and development laboratory, up to fifteen (15) percent of the gross floor area of a structure. The allowance is calculated on the gross floor area of the structure after all space exempt under this subsection is deducted; and

5. Within the First Hill Urban Center Village, on lots zoned NC3, with a one hundred and sixty (160) foot height limit, all gross floor area occupied by a residential use.

**23.47A.014 Setback requirements.**

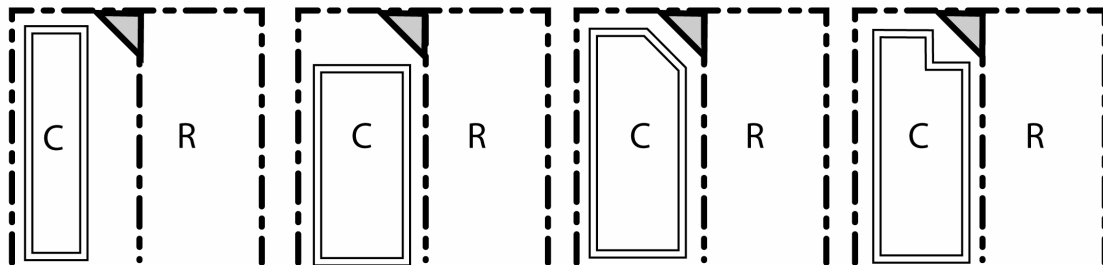
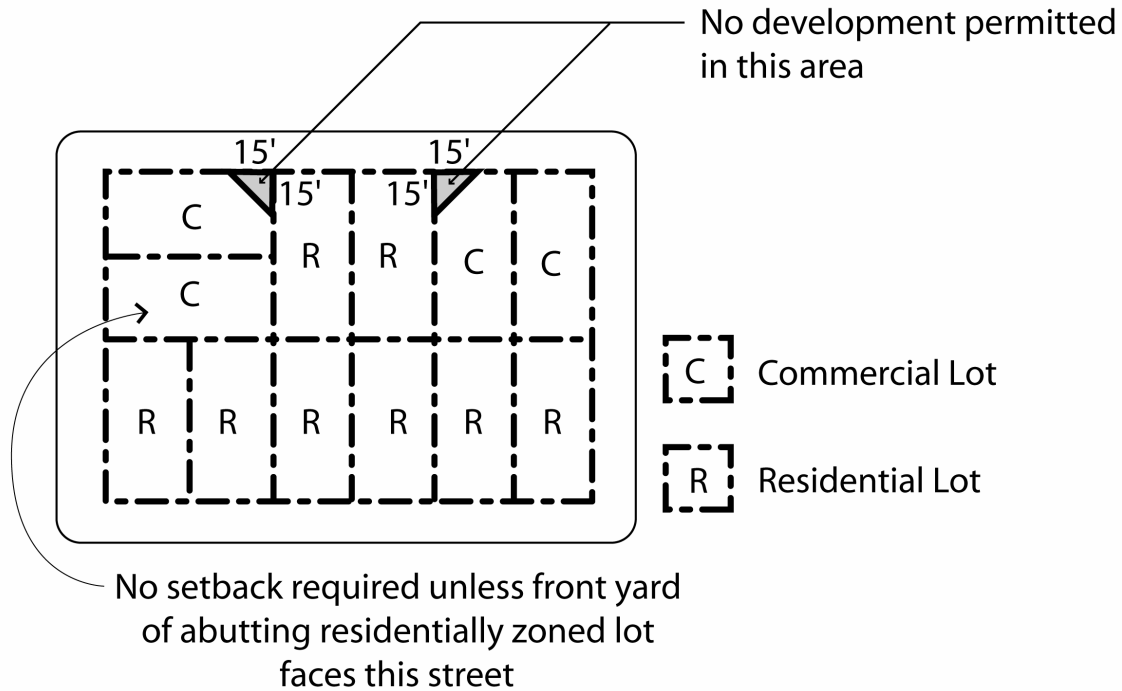
A. Definition. For the purposes of this section, "portions of structures" include those features listed in Section 23.47A.012 D, Rooftop Features.

B. Rear and side setback requirements for lots adjacent to residential zones.

1. A setback is required on any lot that abuts the intersection of a side lot line and front lot line of a lot in a residential zone. The required setback forms a triangular area. Two (2) sides of the triangle must each extend along the street lot line and side lot line fifteen (15) feet from the intersection of the street lot line and the side lot line abutting the residentially zoned lot. The third side connects these two (2) sides with a diagonal line across the lot (Exhibit 23.47A.014 A).

# **Exhibit 23.47A.014 A**

Setback abutting a side or rear lot line of a residentially zoned lot

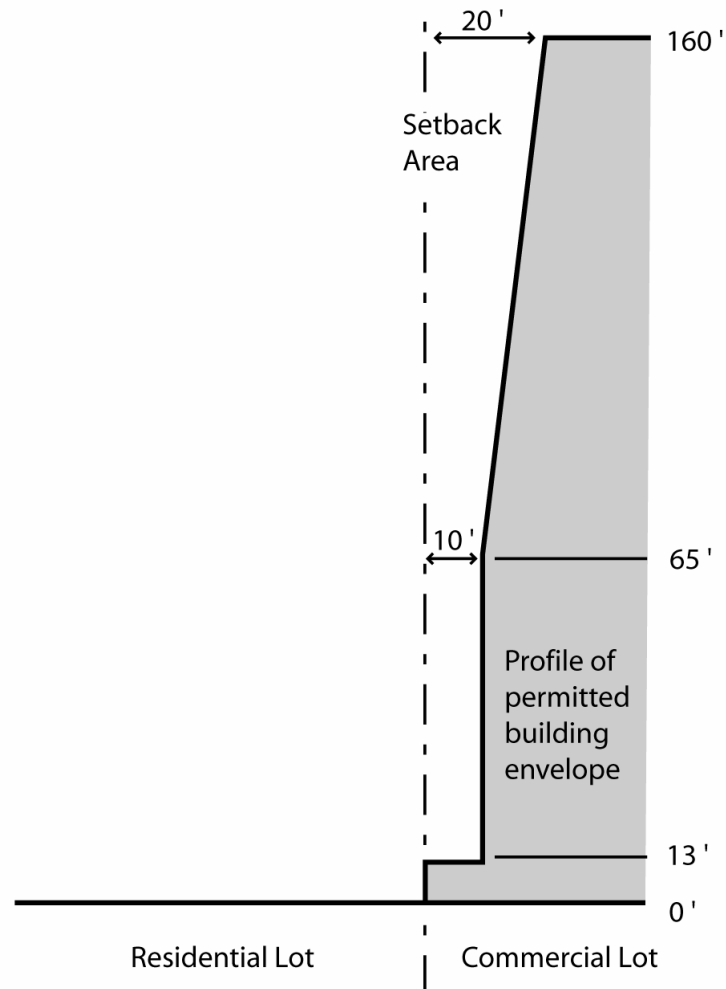


2. A setback is required along any rear or side lot line that abuts a lot in a residential zone, as follows:

- a. Ten (10) feet for portions of structures above thirteen (13) feet in height to a maximum of sixty-five (65) feet; and
- b. For each portion of a structure above sixty-five (65) feet in height, additional setback at the rate of one (1) foot of setback for every ten (10) feet by

which the height of such portion exceeds sixty-five (65) feet (Exhibit 23.47A.014 B).

**Exhibit 23.47A.014 B**  
Setback abutting a side or rear lot line of  
a residentially zoned lot



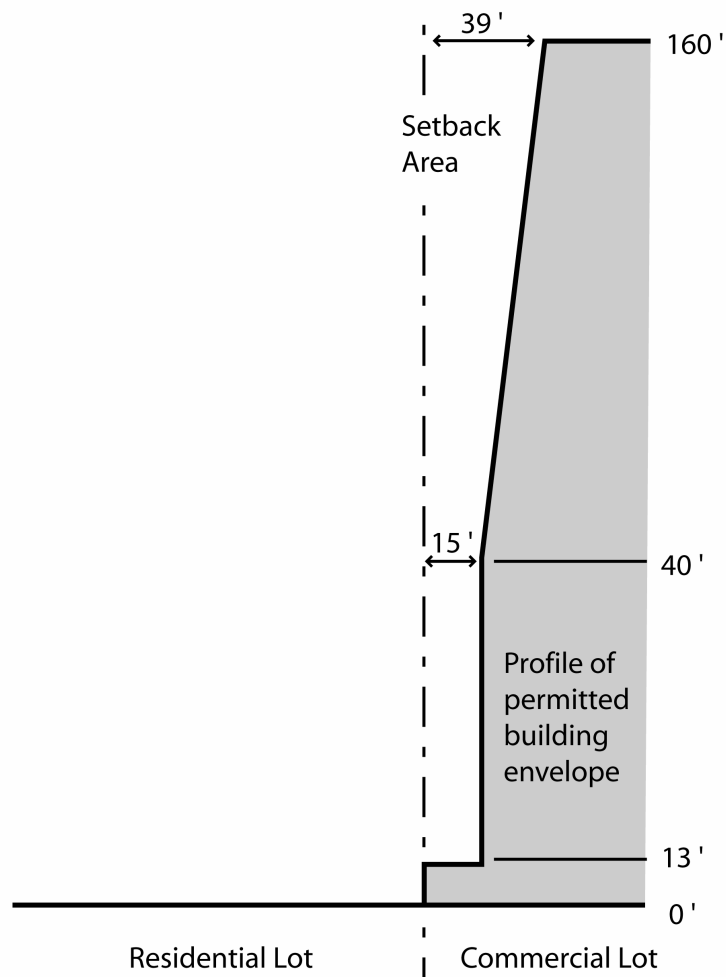
3. Structures with more than one dwelling unit. For a structure with more than one dwelling unit, a setback is required along any rear lot line that abuts a lot in a residential zone or that is across an alley from a lot in a residential zone, as follows:

- a. Fifteen (15) feet for portions of structures above thirteen (13) feet in height to a maximum of forty (40) feet; and

b. For each portion of a structure above forty (40) feet in height,  
additional setback at the rate of two (2) feet of setback for every ten (10) feet by  
which the height of such portion exceeds forty (40) feet (Exhibit 23.47A.014 C).

**Exhibit 23.47A.014 C**

Setbacks for structures with more than  
one residential unit along a rear lot line  
abutting a residentially-zoned lot



4. One-half (1/2) of the alley width may be counted as part of the required  
setback. For the purpose of this section, the alley width and the location of the rear lot  
line shall be determined prior to any dedication that may be required for alley  
improvement purposes.



5. No entrance, window, or other opening is permitted closer than five (5) feet to a residential zone.

C. A minimum five (5) foot landscaped setback may be required under certain conditions and for certain uses according to Section 23.47A.016, Screening and landscaping standards.

D. Mobile Home Parks. A minimum five (5) foot setback is required along all street lot lines of a mobile home park. The setback must be landscaped according to the provisions of Section 23.47A.016 D2.

E. Structures in Required Setbacks.

1. Decks and balconies.

a. Decks with open railings may extend into the required setback, but are not permitted within five (5) feet of a lot in a residential zone, except as provided in subsection E1b.

b. Decks that are accessory to residential uses and are no more than eighteen (18) inches above existing or finished grade, whichever is lower, are permitted within five (5) feet of a lot in a residential zone.

2. Eaves, cornices and gutters projecting no more than eighteen (18) inches from the structure facade are permitted in required setbacks.

3. Ramps or other devices necessary for access for the disabled and elderly, which meet Seattle Building Code, Chapter 11, are permitted in required setbacks.

4. Uncovered, unenclosed pedestrian bridges, necessary for access and less than five (5) feet in width, are permitted in required setbacks.

5. Fences, bulkheads, freestanding walls and other similar structures.

1                   a. Fences, freestanding walls and other similar structures six (6) feet or  
2                   less in height above existing or finished grade, whichever is lower, are permitted  
3                   in required setbacks. The six (6) foot height may be averaged along sloping grade  
4                   for each six (6) foot long segment of the fence, but in no case may any portion of  
5                   the fence exceed eight (8) feet.  
6

7                   b. Bulkheads and retaining walls used to raise grade may be placed in any  
8                   required setback when limited to six (6) feet in height, measured above existing  
9                   grade. A guardrail no higher than forty-two (42) inches may be placed on top of a  
10                  bulkhead or retaining wall existing as of the date of the ordinance codified in this  
11                  section. If a fence is placed on top of a new bulkhead or retaining wall, the  
12                  maximum combined height is limited to nine and one-half (9 1/2) feet.  
13

14                  c. Bulkheads and retaining walls used to protect a cut into existing grade  
15                  may not exceed the minimum height necessary to support the cut or six (6) feet,  
16                  whichever is greater. When the bulkhead is measured from the low side and it  
17                  exceeds six (6) feet, an open guardrail of no more than forty-two (42) inches  
18                  meeting Building Code requirements may be placed on top of the bulkhead or  
19                  retaining wall. A fence must be set back a minimum of three (3) feet from such a  
20                  bulkhead or retaining wall.  
21

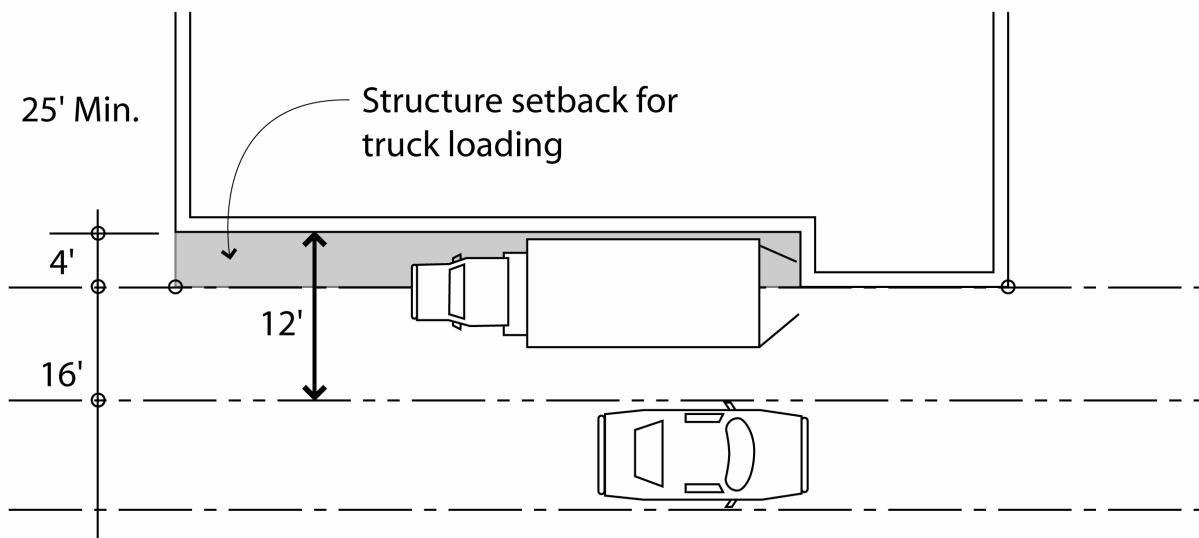
22                  6. Setback requirements do not limit underground structures.  
23

24                  7. Detached solar collectors are permitted in required setbacks. Such collectors  
25                  may be no closer than five (5) feet to any other principal or accessory structure, and no  
26                  closer than three (3) feet to any lot line that abuts a residentially zoned lot.  
27  
28

8. Dumpsters and other trash receptacles, except for trash compactors, located outside of structures are not permitted within ten (10) feet of any lot line that abuts a residential zone and must be screened per the provisions of section 23.47A.016.

F. Setback requirement for loading adjacent to an alley. Where access to a loading berth is from the alley, and truck loading is parallel to the alley, a setback of twelve (12) feet is required for the loading berth, measured from the centerline of the alley (Exhibit 23.47A.014 D). This setback must be maintained up to a height of sixteen (16) feet.

**Exhibit 23.47A.014 D**  
Structure Setback for Truck Loading



G. A setback may be required in order to meet the provisions of Section 23.53.015, Improvement requirements for existing streets in residential and commercial zones, and Section 23.53.030, Alley improvements in all zones.

**23.47A.015 View corridors.**

A. On lots that are partially within the Shoreline District, a view corridor shall be required for the entire lot if the portion of the lot in the Shoreline District is required to provide a view corridor under the Seattle Shoreline Master Program.

B. Measurement and modification of the view corridor requirement must be according to the Shoreline District measurement regulations.

**23.47A.016 Landscaping and screening standards.**

A. Landscaping requirements.

1. Standards. All landscaping provided to meet requirements under this section must meet standards promulgated by the Director to provide for the long-term health, viability and coverage of plantings. The Director may promulgate standards relating matters including, but not limited to, the type and size of plants, number of plants, concentration of plants, depths of soil, use of low water use plants and access to light and air for plants.

2. Green Area Factor Requirement. Landscaping that achieves a green factor score of .30 or greater is required for:

- a. any new structure containing more than four (4) dwelling units;
- b. any new structure containing more than four thousand (4,000) square feet of nonresidential uses; and
- c. any new parking lot containing more than twenty (20) parking spaces for automobiles.

3. Green Area Factor Calculation. A lot's green area factor score is determined as follows:

a. Multiply the square feet, or equivalent square footage where applicable, of each of the existing and proposed elements listed in Chart A of this Section by the green area multiplier shown for that element, according to the following provisions:

(1) If multiple elements listed on Chart A occupy an area (for example, groundcover under a tree), the full square footage or equivalent square footage of each element is used to calculate the product for that element.

(2) Landscaping elements that are provided in the portions of rights-of-way abutting the lot that are between the lot line and the roadway may be included, except that permeable paving in the right-of-way may not be included.

(3) Elements listed in Chart A that are provided to satisfy any requirements of this chapter may be included.

(4) For trees and large shrubs, use the equivalent square footage of each tree or shrub according to Chart B of this Section.

(5) For vegetated walls, use the square footage of the portion of the wall covered by vegetation.

(6) For all elements other than trees, large shrubs and vegetated walls, square footage is determined by the area of the portion of a horizontal plane that underlies the element.

b. Add together all the products computed under subsection A3a to determine the total green area factor.

c. Divide the total green area factor by the lot area to determine the green area factor score.

**Chart A of Section 23.47A.016**

<b>Green Area Factor Elements*</b>	<b>Multiplier</b>
<b>A. Vegetation planted with a soil depth of less than twenty-four (24) inches:</b>	
1. Lawn, grass pavers, ground covers or other plants normally expected to be less than three (3) feet tall at maturity.	0.2
2. Large shrubs	0.3
<b>B. Landscaping elements planted with a soil depth of twenty-four (24) inches or more:</b>	
1. Lawn, grass pavers, ground covers or other plants normally expected to be less than three (3) feet tall at maturity.	0.7
2. Large shrubs	0.3
3. Small trees	0.3
4. Small/medium trees	0.3
5. Medium/large trees	0.4
6. Large trees	0.4
7. Exceptional trees and exceptionally large trees	0.5
8. Permeable paving at grade	0.6
<b>C. Green roofs planted with a soil depth of at least four (4) inches</b>	0.7
<b>D. Vegetated walls</b>	0.7
<b>E. Water features under water at least nine (9) months per year or rain gardens.</b>	0.7
<b>F. Bonuses applied to Green Factor Elements, above:</b>	
1. Landscaping that consists entirely of drought tolerant species, as defined by the Director, or landscaping areas that are designed for at least fifty (50) percent of irrigation to be provided through use of harvested rainwater.	0.1
2. Landscaping visible to passersby.	0.1

\* A feature may qualify as an element in this Chart only if it satisfies applicable conditions in rules promulgated by the Director for such element, if any.

**Chart B of 23.47A.016**  
**Equivalent square footage of trees and large shrubs**

Landscaping Elements	Equivalent Square Feet
Large shrubs	16 square feet per shrub
Small trees	50 square feet per tree
Small/medium trees	100 square feet per tree
Medium/large trees	150 square feet per tree
Large trees	200 square feet per tree
Exceptional trees and exceptionally large trees	250 square feet per tree

**B. Street tree requirements.**

1. Street trees are required when any type of development is proposed, except as provided in subsection B2 and section 23.53.015. The Director, in consultation with the Director of Transportation, will determine the number, type and placement of street trees to be provided, based on the following considerations:

- a. space in the planting strip;
- b. presence, type and spacing of existing street trees in the area;
- c. size of trees to be planted;
- d. distance required between trees in order to encourage healthy growth;
- e. location of utilities;
- f. access to the street;
- g. viability of particular plants in the location; and
- h. public safety.

Existing street trees count toward this requirement.

2. Exceptions to street tree requirements.

1 a. If a lot borders an unopened street, the Director may reduce or waive the  
2 street tree requirement along that street if, after consultation with the Director of  
3 Transportation, the Director determines that the street is unlikely to be developed.

4 b. Street trees are not required as a condition to any of the following:

5 (1) establishing, constructing or modifying single-family dwelling  
6 units; or  
7

8 (2) changing a use, or establishing a temporary use or intermittent  
9 use; or  
10

11 (3) expanding a structure by one thousand (1,000) square feet or  
12 less; or

13 (4) expanding surface area parking by less than ten (10) percent in  
14 area or in number of spaces.

15 c. When an existing structure is proposed to be expanded by more than  
16 one thousand (1,000) square feet, one street tree is required for each five hundred  
17 (500) square feet over the first one thousand (1,000) square feet, up to the  
18 maximum number of required trees.  
19

20 d. If street trees would obscure the visibility of retail uses or obstruct  
21 pedestrian access to retail uses, the Director may reduce or waive the street tree  
22 requirement after consultation with the Director of Transportation, and may  
23 condition the reduction or waiver on the provision of landscaping in addition to  
24 what otherwise would be required.  
25

26 3. If it is not feasible to plant street trees in an abutting planting strip, landscaping  
27 other than trees is required in the planting strip, subject to approval by the Director of the  
28



Department of Transportation. If, according to the Director of the Department of Transportation, a landscaped planting strip is not feasible, the Director may reduce or waive this requirement

C. General standards for screening and landscaping where required for specific uses.

1. Screening required under subsection D must be either:

a. A fence or wall at least as tall as the height specified in subsection D;

or

b. A hedge or landscaped berm at least as tall as the height specified in subsection D.

2. Landscaped areas and berms required under subsection D must meet standards promulgated by the Director pursuant to subsection A1. Decorative features such as decorative pavers, sculptures or fountains or pedestrian access meeting the Seattle Building Code, Chapter 11 -- Accessibility, may cover a maximum of thirty (30) percent of each landscaped area or berm used to satisfy requirements under subsection D.

D. Screening and landscaping requirements for specific uses. When there is more than one use that requires screening or landscaping, the requirement that results in the greater amount applies.

1. Surface parking areas.

a. Landscaping in surface parking areas is required as follows:

Number of Parking Spaces	Required Landscaped Area
20 to 50	18 square feet/ parking space
51 to 99	25 square feet/ parking space
100 or more	35 square feet/ parking space

(1) Each landscaped area shall be no smaller than one hundred (100) square feet and must be enclosed by permanent curbs or structural barriers.

(2) No part of a landscaped area shall be less than four (4) feet in any dimension except those parts created by turning radii or angles of parking spaces.

(3) No parking space shall be more than sixty (60) feet from a required landscaped area.

b. Trees in surface parking areas.

(1) One (1) tree is required for every ten (10) parking spaces.

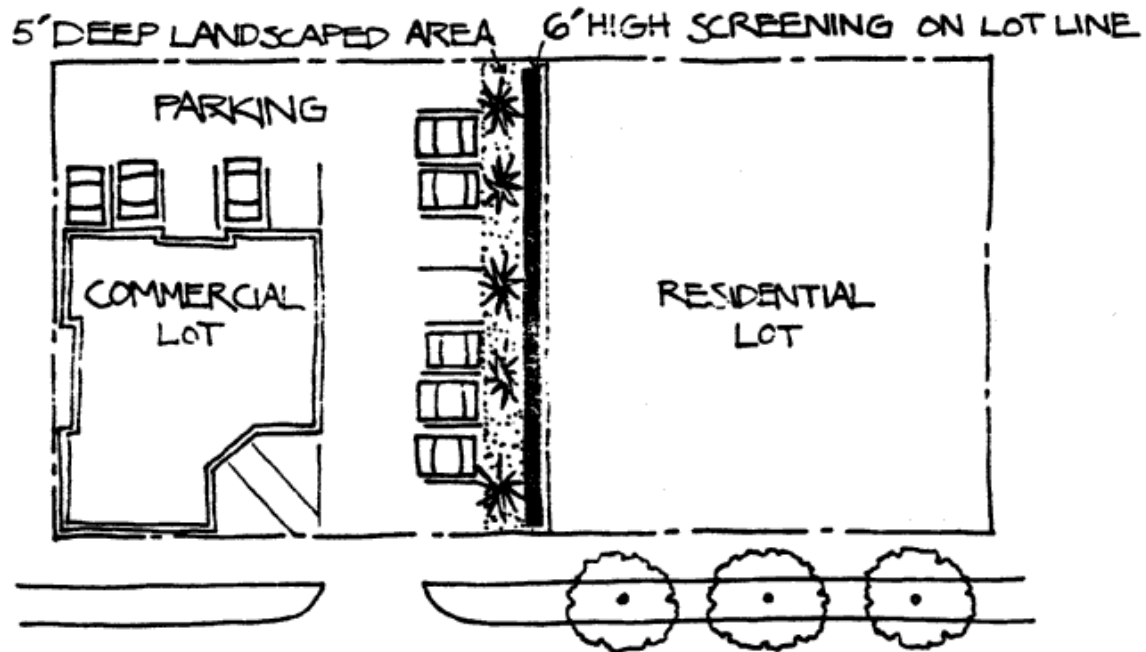
(2) Trees shall be selected in consultation with the City Arborist.

c. Screening of surface parking areas.

(1) Three (3) foot high screening is required along street lot lines.

(2) Surface parking abutting or across an alley from a lot in a residential zone must have six (6) foot high screening along the abutting lot line(s) and a five (5) foot deep landscaped area inside the screening (see Exhibit 23.47A.016 A).

**Exhibit 23.47A.016 A**  
Screening of Surface Parking Areas Abutting a  
Residentially Zoned Lot



d. The Director may waive or reduce the requirements of this subsection

D1:

- (1) to improve safety;
- (2) to provide adequate maneuvering room for service vehicles;
- (3) when it would not otherwise be feasible to provide the required number of spaces; or
- (4) when required parking can only be provided at the rear lot line and access to individual parking spaces can only be provided directly from the alley.

e. In deciding whether and to what extent to waive or reduce the landscaping and screening requirements, the Director shall consider whether:

(1) The lot width and depth permit alternative workable site plans that would allow screening and landscaping;

(2) The character of uses across the alley, such as a parking garage accessory to a multifamily structure, makes the screening and landscaping less necessary;

(3) The lot is in a location where access to parking from the street is not permitted; and

(4) A topographic break between the alley and the residential zone makes screening less necessary.

2. Other uses or circumstances. Screening and landscaping is required according to Chart C of this section:

**Chart C of Section 23.47A.016**

Use or circumstance	Minimum Requirement
a. Blank street-level street-facing facades	A five (5) foot deep landscaped area along the length of the blank facade, planted with trees and shrubs
b. Parking garage occupying any portion of the street-level street-facing facade between five (5) and eight (8) feet above sidewalk grade	A five (5) foot deep landscaped area along the street lot line; and either Screening by the exterior wall of the structure, or Six (6) foot high screening between the structure and the landscaped area. (see Exhibit 23.47A.016 B)
c. Parking garage on lots abutting a lot in a residential zone.	A five (5) foot deep landscaped area along each shared lot line; and either Screening by the exterior wall of the structure, or Six (6) foot high screening along the shared lot line.

Use or circumstance	Minimum Requirement
d. Parking garage that is eight (8) feet or more above grade.	Three and one-half (3 ½) foot screening along the perimeter of each floor of parking.
e. Drive-in businesses abutting or across an alley from a lot in a residential zone	Six (6) foot high screening along the abutting or alley lot lines; and A five (5) foot deep landscaped area inside the screening, when a drive-in lanes or queuing lane abuts a lot in a residential zone
f. Drive-in businesses, other than gas stations, in which the drive-in lanes or queuing lanes are across the street from a lot in a residential zone	Three (3) foot high screening
g. Gas stations in NC1, NC2 and NC3 zones or, in C1 and C2 zones, across the street from a lot in a residential zone	Three (3) foot high screening along street lot lines
h. Garbage cans in NC1, NC2, or NC3 zones, or associated with a structure containing a residential use in C1 or C2 zones	Three (3) foot high screening along areas where garbage cans are located
i. Garbage dumpsters in NC1, NC2, or NC3 zones, or associated with structures containing a residential use in C1 or C2 zones	Six (6) foot high screening
j. Outdoor sales and outdoor display of rental equipment, abutting or across an alley from a lot in a residential zone	Six (6) foot high screening along the abutting or alley lot lines
k. Outdoor sales and outdoor display of rental equipment across the street from a lot in a residential zone	Three (3) foot high screening along the street lot line
l. Outdoor storage in a C1 zone; or Outdoor dry boat storage in NC2, NC3 or C1 zones in the Shoreline District	Screened from all lot lines by the façade of the structure or by six (6) foot high screening; and Five (5) foot deep landscaped area between all street lot lines and the six (6) foot high screening (Exhibit 23.47A.016 C)
m. Outdoor storage in a C2 zone across the street from a lot in a residential zone; or Outdoor dry boat storage, in a C2 zone in the Shoreline District, across the street from a lot in a residential zone	Screened from the street by the facade of a structure, or by six (6) foot high screening
n. Outdoor storage in a C2 zone abutting a lot in a residential zone; or Outdoor dry boat storage in a C2 zone in the Shoreline District, abutting a lot in a residential zone	Fifty (50) foot setback from the lot lines of the abutting lot in a residential zone and screened from those lot lines by the façade of the structure or by six foot high screening (Exhibit 23.47A.016 D)

Use or circumstance	Minimum Requirement
o. Mobile home parks	Six (6) foot high screening along all lot lines that are not street lot lines; and Along all street lot lines, a five (5) foot deep landscaped area or a five (5) foot deep planting strip with street trees
p. Utility meters in NC1, NC2, and NC3 zones or meters associated with structures containing a residential use in C1 or C2 zones.	Screened from all lot lines by the facade of a structure or by six (6) foot high screening

### Exhibit 23.47A.016 B

#### Screening of parking within or under a structure

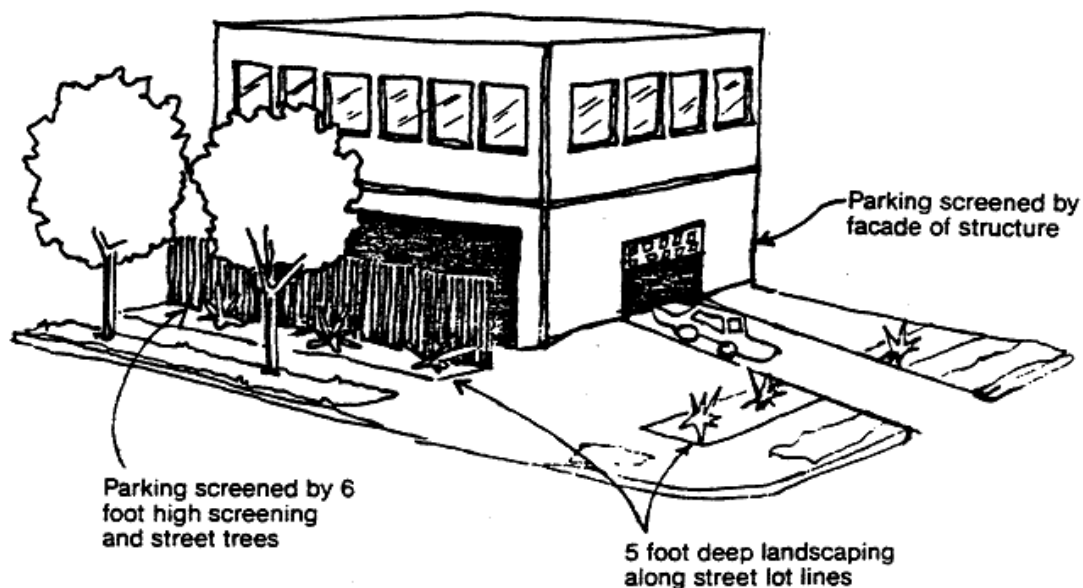
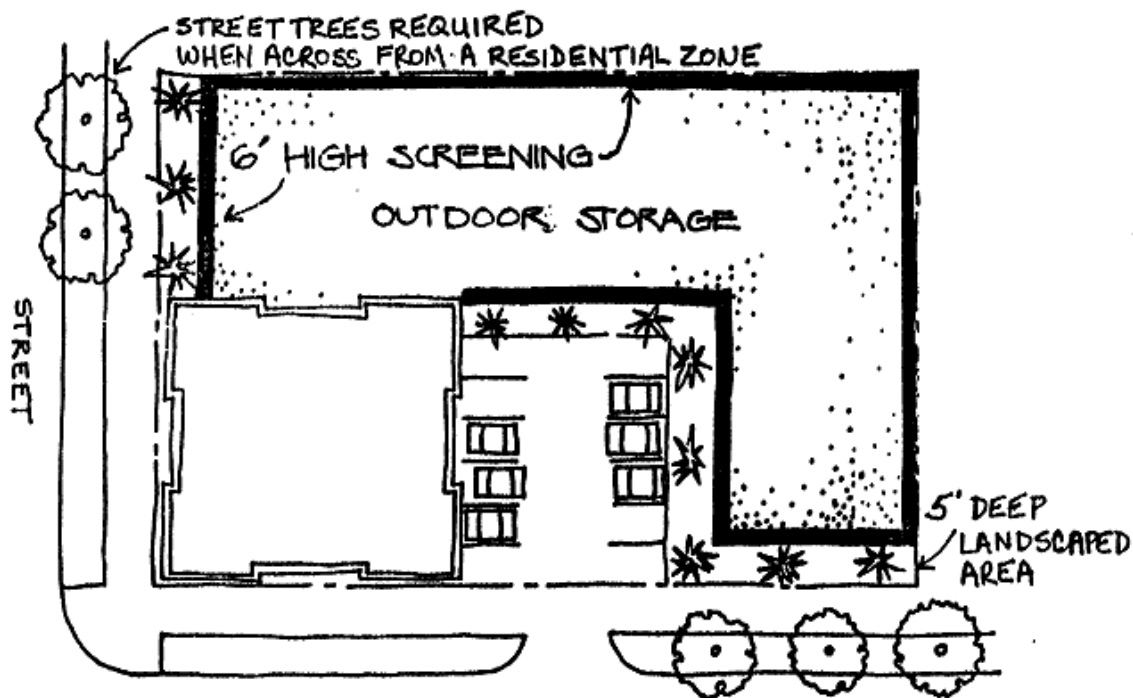


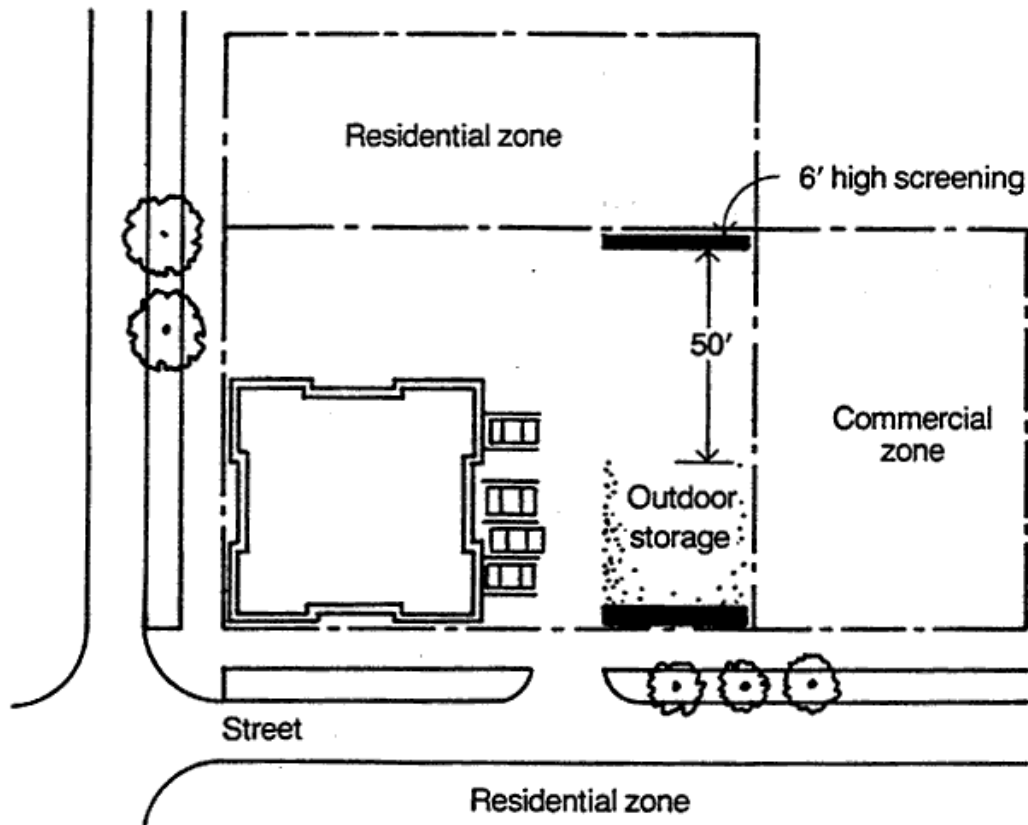
Exhibit 23.47A.016 C

Screening of open storage areas in C1 zones



**Exhibit 23.47A.016 D**

**Screening of open storage areas in C2 zones**



3. Lots within the Shoreline District. On lots within the Shoreline District where view corridors are required, the Director may reduce the required height of screening and may modify the location and type of required landscaping so that views are not obstructed.

4. When one of the specific uses listed in this subsection D is proposed for expansion, the applicable requirements for that use must be met. The Director may reduce or waive the requirements where they are physically infeasible due to the location of existing structures or required parking.



E. Access through required screening. Breaks in required screening are permitted to provide pedestrian and vehicular access. Breaks in required screening for vehicular access shall not exceed the width of permitted curb cuts.

**23.47A.018 Noise standards.**

A. In an NC1, NC2 or NC3 zone, all manufacturing, fabricating, repairing, refuse compacting and recycling activities shall be conducted wholly within an enclosed structure. In a C1 or C2 zone, location within an enclosed structure is required only when the lot is located within fifty (50) feet of a residential zone, except when required as a condition for permitting a major noise generator according to subsection B.

**B. Major Noise Generators.**

1. The following uses are considered major noise generators:

- a. Light and general manufacturing;
- b. Major vessel repair;
- c. Aircraft repair shops;
- d. Major vehicle repair;
- e. Cargo terminals;
- f. Recycling;
- g. Other similar uses.

2. Exterior heat exchangers and other similar devices (e.g., ventilation, air-conditioning, refrigeration) are considered major noise generators.

3. When a major noise generator is proposed, or when an existing major noise generator is proposed to be expanded, a report from an acoustical consultant shall be required to describe the measures to be taken by the applicant in order to meet noise

standards for the area. Such measures may include, for example, the provision of buffers, reduction in hours of operation, relocation of mechanical equipment, increased setbacks and use of specified construction techniques or building materials. Measures to be used shall be specified on the plans. After a permit has been issued, any measures that were required by the permit to limit noise shall be maintained.

**23.47A.020 Odor standards.**

A. The venting of odors, vapors, smoke, cinders, dust, gas and fumes shall be at least ten (10) feet above finished sidewalk grade, and directed away to the extent possible from residential uses within fifty (50) feet of the vent.

**B. Major Odor Sources.**

1. Uses that employ the following odor-emitting processes or activities are considered major odor sources:

- a. Lithographic, rotogravure or flexographic printing;
- b. Film burning;
- c. Fiberglassing;
- d. Selling of gasoline and/or storage of gasoline in tanks larger than two hundred sixty (260) gallons;
- e. Handling of heated tars and asphalts;
- f. Incinerating (commercial);
- g. Tire buffing;
- h. Metal plating;
- i. Vapor degreasing;
- j. Wire reclamation;

k. Use of boilers (greater than 106 British Thermal Units per hour, ten thousand (10,000) pounds steam per hour, or thirty (30) boiler horsepower);

l. Animal food processing;

m. Other similar processes or activities.

2. Uses that employ the following processes are considered major odor sources, except when the entire activity is conducted as part of a commercial use other than food processing:

a. Cooking of grains;

b. Smoking of food or food products;

c. Fish or fishmeal processing;

d. Coffee or nut roasting;

e. Deep fat frying;

f. Dry cleaning;

g. Other similar processes or activities.

C. When an application is made for a use that is a major odor source, the Director, in consultation with the Puget Sound Clean Air Agency (PSCAA), will determine the appropriate measures to be taken by the applicant in order to significantly reduce potential odor emissions and airborne pollutants. The measures to be taken must be indicated on plans submitted to the Director and may be required as conditions for the issuance of any permit. After a permit has been issued, any measures that were required by the permit must be maintained.

**23.47A.022 Light and glare standards.**

A. Exterior lighting must be shielded and directed away from adjacent uses.

1           B. Interior lighting in parking garages must be shielded to minimize nighttime glare  
2 affecting nearby uses.

3           C. To prevent vehicle lights from affecting adjacent properties, driveways and parking  
4 areas for more than two (2) vehicles shall be screened from adjacent properties by a fence or wall  
5 between five (5) feet and six (6) feet in height, or solid evergreen hedge or landscaped berm at  
6 least five (5) feet in height. If the elevation of the lot line is different from the finished elevation  
7 of the driveways or parking surface, the difference in elevation may substitute for a portion of  
8 the required height of the screen so long as the screen itself is a minimum of three (3) feet in  
9 height. The Director may waive the requirement for the screening if it is not needed due to  
10 changes in topography, agreements to maintain an existing fence, or the nature and location of  
11 adjacent uses.  
12

13  
14           D. Height.

15           1. Exterior lighting on poles is permitted up to a maximum height of thirty (30)  
16 feet from finished grade. In zones with a forty (40) foot or greater height limit, exterior  
17 lighting on poles is permitted up to a height of forty (40) feet from finished grade,  
18 provided that the ratio of watts to area is at least twenty (20) percent below the maximum  
19 exterior lighting level permitted by the Energy Code.  
20

21           2. Athletic Fields.

22           a. Light poles for illumination of athletic fields on new and existing  
23 public school sites may exceed the maximum permitted height set forth in  
24 subsection D1, above, up to a maximum height of one hundred (100) feet, where  
25 determined by the Director to be necessary to ensure adequate illumination and  
26 where the Director determines that impacts from light and glare are minimized to  
27  
28

1 the greatest extent practicable. The applicant must submit an engineer's report  
2 demonstrating that impacts from light and glare are minimized to the greatest  
3 extent practicable. When proposed light poles are reviewed as part of a project  
4 being reviewed pursuant to Chapter 25.05, Environmental Policies and  
5 Procedures, and requiring a SEPA determination, the applicant must demonstrate  
6 that the additional height contributes to a reduction in impacts from light and  
7 glare.  
8

9 b. When proposed light poles are not included in a proposal being  
10 reviewed pursuant to Chapter 25.05, the Director may permit the additional height  
11 as a special exception subject to Chapter 23.76, Procedures for Master Use  
12 Permits and Council Land Use Decisions.  
13

14 (1) When seeking a special exception for taller light standards, the  
15 applicant must submit an engineer's report demonstrating that the  
16 additional height contributes to a reduction in impacts from light and  
17 glare. When the proposal will result in extending the lighted area's  
18 duration of use, the applicant must address and mitigate potential impacts,  
19 including but not limited to, increased duration of noise, traffic, and  
20 parking demand. The applicant also must demonstrate it has conducted a  
21 public workshop for residents within (1/8) one-eighth of a mile of the  
22 affected school in order to solicit comments and suggestions on design as  
23 well as potential impacts.  
24  
25

26 (2) The Director may condition a special exception to address  
27 negative impacts from light and glare on surrounding areas, and may also  
28

impose conditions to address other impacts associated with increased field use due to the addition of lights, including, but not limited to, increased noise, traffic, and parking demand.

E. Glare diagrams that clearly identify potential adverse glare impacts on residential zones and on arterials shall be required when:

1. Any structure is proposed to have a facade of reflective coated glass or other highly reflective material, and/or new or expanded structures greater than sixty-five (65) feet in height are proposed to have more than thirty (30) percent of a facade composed of clear or tinted glass; and

2. The facade(s) surfaced or composed of materials referred to in subsection 1 above either:

a. Are oriented toward and are less than two hundred (200) feet from any residential zone, and/or

b. Are oriented toward and are less than four hundred (400) feet from a major arterial with more than fifteen thousand (15,000) vehicle trips per day, according to Seattle Department of Transportation data.

3. When glare diagrams are required, the Director may require modification of the plans to mitigate adverse impacts, using methods including but not limited to the following:

a. Minimizing the percentage of exterior facade that is composed of glass;

b. Using exterior glass of low reflectance;

c. Tilting glass areas to prevent glare that could affect arterials, pedestrians or surrounding structures;

- d. Alternating glass and non-glass materials on the exterior facade; and
- e. Changing the orientation of the structure.

**23.47A.024 Residential Amenity Areas.**

A. Residential amenity areas, including but not limited to decks, balconies, terraces, roof gardens, plazas, courtyards, play areas, or sport courts, are required in an amount equal to five (5) percent of the total gross floor area in residential use, except as otherwise specifically provided in this chapter. Gross floor area, for the purposes of this subsection, excludes areas used for mechanical equipment, accessory parking and residential amenity areas.

B. Required residential amenity areas must meet the following conditions, as applicable:

- 1. All residents must have access to at least one residential amenity area;
- 2. Residential amenity areas may not be enclosed;
- 3. Parking areas, driveways, and pedestrian access to building entrances, except for pedestrian access meeting the Seattle Building Code, Chapter 11 -- Accessibility, do not count as residential amenity areas;
- 4. Common recreational areas must have a minimum horizontal dimension of at least ten (10) feet, and no common recreational area can be less than two hundred and fifty (250) square feet;
- 5. Private balconies and decks must have a minimum area of sixty (60) square feet, and no horizontal dimension shall be less than six (6) feet.
- 6. Rooftop areas excluded pursuant to Section 23.57.012C1d do not qualify as residential amenity areas.

**23.47A.027 Landmark Districts and designated landmark structures.**

A. The Director may waive or allow departures from standards for residential amenity areas, setbacks, width and depth limits and screening and landscaping for designated landmark structures or for development within a Landmark District pursuant to Seattle Municipal Code, Title 25 or within a Special Review District pursuant to Seattle Municipal Code, Chapter 23.66.

B. The Director's decision to waive or allow departures from development standards shall be consistent with adopted District design and development guidelines and shall be consistent with the recommendations of the Landmarks Preservation Board or the Director of Neighborhoods except when potential environmental impacts clearly require denial or granting lesser waivers or departures.

**23.47A.028 Standards for drive-in businesses.**

A. Number of Drive-in Lanes and Fuel Pumps Permitted.

1. Drive-in lanes are permitted, conditioned, or prohibited as follows:

	<b>NC1, except pedestrian- designated</b>	<b>NC2, except pedestrian- designated</b>	<b>NC3, except pedestrian- designated</b>	<b>Pedestrian- designated zones</b>	<b>C1 and C2, except pedestrian- designated</b>
Gas Stations	4 lanes subject to conditions in subsections 2, 3 and 4	4 lanes subject to conditions in subsections 2, 3 and 4	4 lanes subject to conditions in subsections 2, 3 and 4	Prohibited	Permitted
Restaurants	Prohibited	Prohibited	4 lanes subject to conditions in subsection 4	Prohibited	Permitted
Other Drive- in Businesses	Prohibited	2 lanes	4 lanes	Prohibited	Permitted



2. In NC zones, gas stations may contain no more than four (4) fuel pumps capable of fueling no more than eight (8) automobiles simultaneously, except as may be allowed under subsection A3 of this section.

3. The Director shall permit one (1) additional lane and one (1) additional fuel pump provided that the additional lane serves, and the additional fuel pump dispenses, one or more of the following fuels: natural gas, bio-diesel, or hydrogen.

4. Gas stations in all NC zones, and restaurants with drive-in lanes in NC3 zones, are permitted subject to the following conditions:

a. The design, including architectural treatment, signage, landscaping and lighting, is compatible with other structures in the vicinity;

b. Appropriate litter-control measures are provided; and

c. The applicant, if required by the Director, prepares an analysis of traffic, circulation and parking impacts, and demonstrates that the drive-in lanes will not:

(1) Cause significant additional traffic to circulate through adjacent residential neighborhoods;

(2) Disrupt the pedestrian character of an area by significantly increasing the potential for pedestrian-vehicle conflicts;

(3) Create traffic or access problems that will require the expenditure of City funds to mitigate;

(4) Interfere with peak-hour transit operations, by causing auto traffic to cross a designated high-occupancy vehicle lane adjacent to the lot;

(5) Cause cars waiting to use the facility to queue across the sidewalk or onto the street; or

(6) Interrupt established retail or service frontage designed to serve pedestrians.

B. Drive-in businesses must provide queuing spaces according to the following:

1. Banks with drive-in facilities: a minimum of five (5) queuing spaces per lane when the number of lanes does not exceed two (2). When the number of drive-in lanes exceeds two (2) a minimum of three (3) queuing spaces per lane is required.

2. Car washes: a minimum of ten (10) queuing spaces.

C. If the drive-in bank or car wash is located along either a principal arterial or a minor arterial, or along a street with only one lane for moving traffic in each direction, the Director will determine as a Type I Master Use Permit decision, after consulting with the Director of Transportation, whether additional queuing spaces are necessary or whether access should be restricted. The Director may restrict access to the facility from that arterial or street, or may require additional queuing space up to a maximum of:

1. Banks with one (1) or two (2) drive-in lanes, eight (8) spaces per lane;

2. Banks with three (3) or more drive-in lanes, six (6) spaces per lane;

3. Car washes, twenty (20) spaces per lane.

D. The Director will determine the minimum number of queuing spaces needed for drive-in business uses not specifically identified in subsection B and C above.

E. Screening and landscaping of drive-in businesses is required in accordance with subsection 23.47A.016 D2.

**23.47A.029 Solid waste and recyclable materials storage space.**

A. Storage space for solid waste and recyclable materials containers shall be provided as indicated in the table below for all new structures permitted in NC zones or C zones and for existing multifamily structures with ten (10) or more units when expanded by two (2) or more units.

**Table for Sec. 23.47A.029**

Structure Type	Structure Size	Minimum Area for Storage Space	Container Type
Residential*	7--15 units	75 square feet	Rear-loading
	16--25 units	100 square feet	Rear-loading
	26--50 units	150 square feet	Front-loading
	51--100 units	200 square feet	Front-loading
	More than 100 units	200 square feet plus 2 square feet for each additional unit	Front-loading
Nonresidential*	0--5,000 square feet	82 square feet	Rear-loading
	5,001--15,000 square feet	125 square feet	Rear-loading
	15,001--50,000 square feet	175 square feet	Front-loading
	50,001--100,000 square feet	225 square feet	Front-loading
	100,001--200,000 square feet	275 square feet	Front-loading
	200,001 plus square feet	500 square feet	Front-loading

\* Mixed-Use Buildings. Buildings containing residential and nonresidential uses with eighty (80) percent or more of gross floor area designated for residential use will be considered residential buildings. All other mixed-use buildings will be considered nonresidential buildings.

B. The design of the storage space shall meet the following requirements:

1                   1. The storage space shall have no horizontal dimension (width and depth) less  
2 than six (6) feet;

3                   2. The floor of the storage space shall be level and hard-surfaced (garbage or  
4 recycling compactors require a concrete surface); and

5                   3. If located outdoors, the storage space shall be screened from public view and  
6 designed to minimize light and glare impacts.

7  
8 C. The location of the storage space shall meet the following requirements:

9                   1. The storage space must be located on the lot of the structure it serves and, if  
10 located outdoors, it shall not be located between a street-facing facade of the structure  
11 and the street;

12                   2. The storage space must not be located in any required driveways, parking  
13 aisles, or parking spaces for the structure;

14                   3. The storage space must not block or impede any fire exits, any public rights-of-  
15 ways or any pedestrian or vehicular access; and

16                   4. The storage space must be located to minimize noise and odor to building  
17 occupants and neighboring developments.

18  
19 D. Access to the storage space for occupants and service providers shall meet the  
20 following requirements:

21                   1. For rear-loading containers:

22                   a. Any proposed ramps to the storage space shall be of six (6) percent  
23 slope or less, and

24                   b. Any proposed gates or access routes must be a minimum of six (6) feet  
25 wide; and

2. For front-loading containers:

- a. Direct access shall be provided from the alley or street to the containers,
- b. Any proposed gates or access routes shall be a minimum of ten (10) feet wide, and
- c. When accessed directly by a collection vehicle into a structure, a twenty-one (21) foot overhead clearance shall be provided.

E. The solid waste and recyclable materials storage space specifications required in subsections A, B, C, and D above, in addition to the number and sizes of containers, shall be included on the plans submitted with the permit application.

F. The Director, in consultation with the Director of Seattle Public Utilities, has the discretion to grant departures from the requirements of subsections A, B, C, and D of this section above, as a Type I Master Use Permit decision, under the following circumstances:

1. When either:

- a. The applicant can demonstrate difficulty in meeting any of the requirements of subsections A, B, C, and D of this section; or
- b. The applicant proposes to expand a multifamily structure or mixed use building, and the requirements of subsections A, B, C, and D of this section conflict with opportunities to increase residential densities and/or retain ground-level retail uses; and

2. When the applicant proposes alternative, workable measures that meet the intent of this section.

**23.47A.030 Required parking and loading.**

A. Off-street parking spaces may be required as provided in Section 23.54.015, Required parking.

B. Loading berths are required for certain commercial uses according to the requirements of Section 23.54.035.

**23.47A.032 Parking location and access.**

A. Access to parking

1. NC zones. The following rules apply in NC zones, except as may be permitted under subsection C of this section:

a. Access to parking must be from the alley if the lot abuts an alley improved to the standards of Section 23.53.030C.

b. If the lot does not abut an improved alley and abuts only one street, access is permitted from the street, and limited to one two-way curb cut.

c. If the lot does not abut an improved alley but abuts two or more streets, access to parking must be from the street with the fewest lineal feet of commercially zoned frontage, except as provided in subsection A2b of this Section.

d. For each permitted curb cut, street-facing facades may contain one (1) garage door, not to exceed the maximum width allowed for curb cuts.

2. Pedestrian-Designated Zones. The following rules apply in pedestrian-designated zones, except as may be permitted under subsection C of this section:

a. Access to parking shall be from an alley if the lot abuts an alley improved to the standards of Section 23.53.030C.

b. If the lot does not abut an improved alley but abuts two or more streets, access to parking shall be from a street that is not a principal pedestrian street.

c. If the lot does not abut an improved alley, and abuts only a principal pedestrian street or streets, access is permitted from the principal pedestrian street, and limited to one two-way curb cut.

3. C1 and C2 zones. In C zones, access to off-street parking may be from a street, alley or both when the lot abuts an alley. However, structures in C zones with residential uses and structures in C zones across the street from residential zones must meet the requirements for parking access for NC zones as provided in subsection A1.

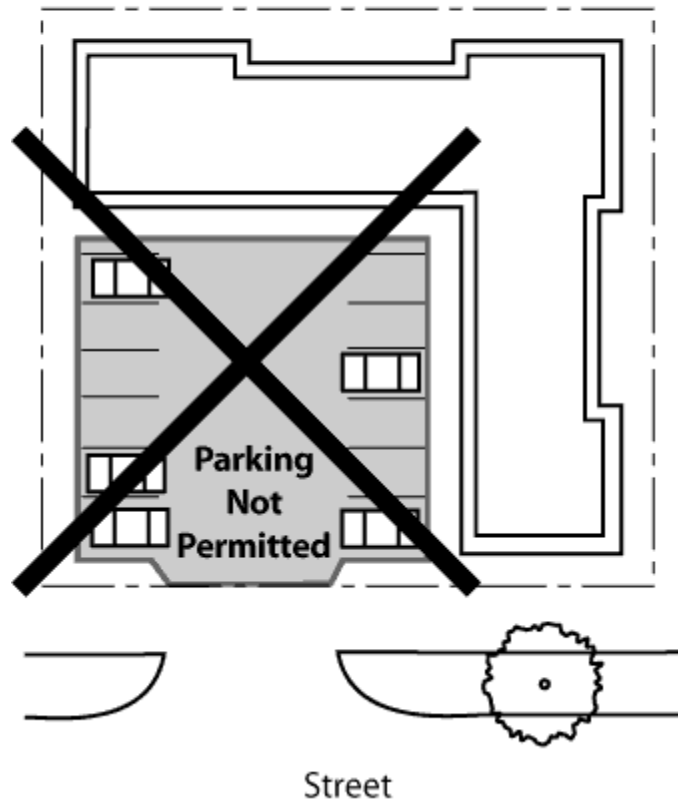
#### B. Location of parking

1. NC zones. The following rules apply in NC zones, except as provided in subsection B2 of this section or as may be permitted under subsection C of this section.

a. Parking may not be located between a structure and a street lot line (Exhibit 23.47A.032 A).

**Exhibit 23.47A.032 A**

Parking not permitted between a structure  
and street in NC zones

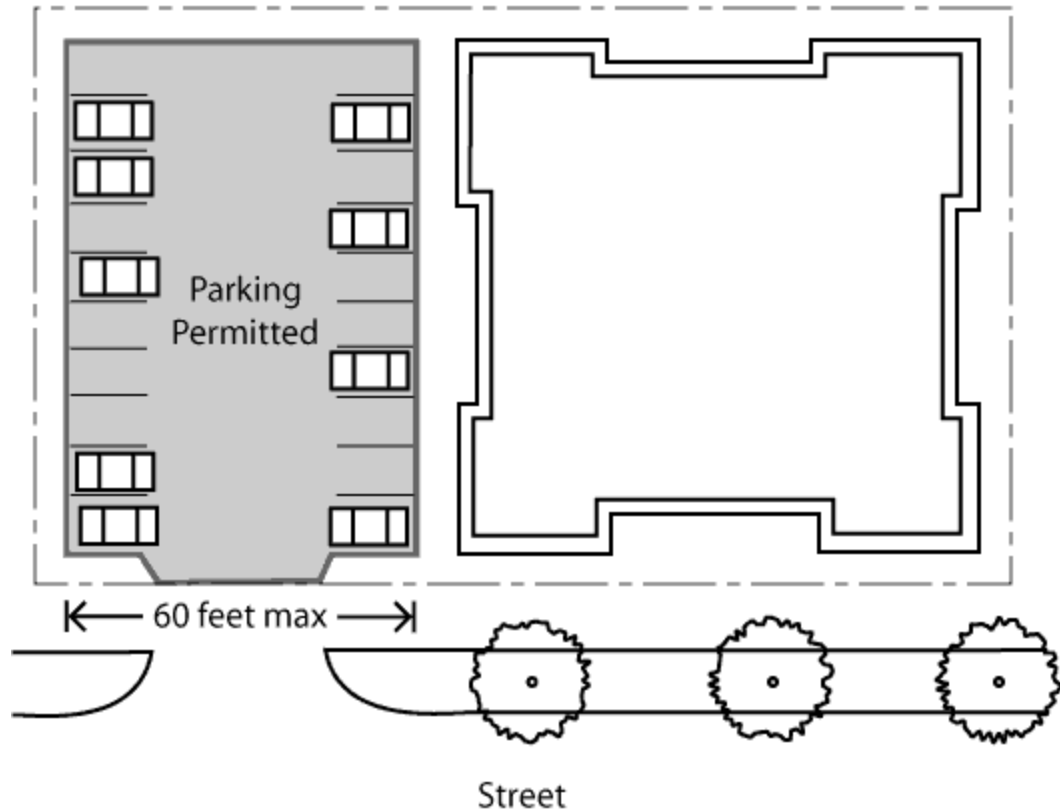


b. Parking may not be located inside a structure adjacent to a street-level street-facing facade according to Section 23.47A.005C. This requirement shall not apply to access to parking meeting the standards of subsection A1, above.

c. Parking to the side of a structure shall not exceed sixty (60) feet of lineal street frontage (Exhibit 23.47A.032 B).



**Exhibit 23.47A.032 B**  
Parking to the side of a structure in NC zones



d. Parking may be located within eight hundred (800) feet of the lot with the use to which it is accessory, according to the provisions of Section 23.54.025, Parking covenants.

2. Pedestrian-designated Zones. The following rules apply in pedestrian-designated zones.

a. Parking may not be located between a structure and a street lot line.

b. Parking may not be located inside a structure at street level along a principal pedestrian street. This requirement shall not apply to access to parking meeting the standards of subsection A2, above.

c. Parking may be located at the rear of a structure, or may be built into or under a structure, or be located within eight hundred (800) feet of the lot with the use to which it is accessory, according to the provisions of Section 23.54.025, Parking covenants.

3. C1 and C2 zones. Off-street parking may generally be located anywhere on a lot in C1 and C2 zones. However, structures with residential uses in C zones and structures in C zones across the street from residential zones must meet the requirements for parking location for NC zones as provided in subsection B.

C. Exceptions to parking location and access requirements.

1. Access to off-street parking may be from a street when, due to the relationship of an alley to the street system, use of the alley for parking access would create a significant safety hazard as determined by the Director as a Type I Master Use Permit decision.

2. When a lot fronts on two or more streets on which the lineal feet of commercially zoned frontage are equal, the Director will determine the front lot line for the purposes of location of parking and may allow parking between a building and the street. In making a determination, the Director will consider the following criteria:

- a. The extent to which parking along a street would disrupt an established commercial street's pedestrian-oriented character or commercial continuity;
- b. The potential for pedestrian and automobile conflicts;
- c. The relative traffic capacity of a street as an indicator of a street's role as a principal commercial street.

3. On waterfront lots in the Shoreline District, parking may be located between the structure and the front lot line, if necessary to prevent blockage of view corridors or to keep parking away from the edge of the water as required by the Shoreline Master Program.

D. Direct access to a loading berth from a street is permitted only when no alley improved to the standards of Section 23.53.030C is available for access.

E. Parking must be screened according to the provisions of Section 23.47A.016.

F. Surface Parking.

1. Pedestrian access through surface parking areas. Where a pedestrian entrance to one or more general sales and service or major durables retail sales uses greater in the aggregate than 30,000 square feet is oriented to a parking lot, a five (5) foot wide pedestrian walkway through the parking lot to the pedestrian entrance must be provided for each 50 spaces of parking provided.

2. Surface parking separating the building from the street. Where a pedestrian entrance to one or more general sales and service or major durables retail sales uses greater in the aggregate than 30,000 square feet is oriented to a surface parking area separating a building from a street, at least one five (5) foot wide pedestrian walkway from the street to the pedestrian entrance must be provided.

**23.47A.033 Transportation concurrency level-of-service standards.**

Proposed uses in NC zones or C zones shall meet the transportation concurrency level-of-service standards prescribed in Chapter 23.52.

**23.47A.035 Assisted living facilities development standards.**

1           A. Assisted living facilities are subject to the development standards of the zone in  
2 which they are located except that the residential amenity requirements of Section 23.47A.024  
3 do not apply.

4           B. Other Requirements.

5                 1. Minimum Unit Size. Assisted living units must be designed to meet the  
6                 minimum square footage required by WAC 388-110-140.

7                 2. Facility Kitchen. A kitchen that serves the entire assisted living facility must  
8                 be provided on-site.

9                 3. Communal Area. Communal areas (e.g., solariums, decks and porches,  
10                 recreation rooms, dining rooms, living rooms, foyers and lobbies that are provided with  
11                 comfortable seating, and gardens or other outdoor landscaped areas that are accessible to  
12                 wheelchairs and walkers) with sufficient accommodations for socialization and meeting  
13                 with friends and family must be provided.

14                         a. The total amount of communal area must equal at least ten (10) percent  
15                         of the total floor area in assisted living units. In calculating the total floor area in  
16                         assisted living units, all of the area of each of the individual units is counted,  
17                         including counters, closets and built-ins, but excluding the bathroom;

18                         b. No service areas, including, but not limited to, the facility kitchen,  
19                         laundry, hallways and corridors, supply closets, operations and maintenance  
20                         areas, staff areas and offices, and rooms used only for counseling or medical  
21                         services, may be counted toward the communal area requirement; and  
22  
23  
24  
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28

c. A minimum of four hundred (400) square feet of the required communal area must be provided outdoors, with no dimension less than ten (10) feet.

**23.47A.037 Keeping of animals.**

The keeping of animals is regulated by Section 23.42.052, Keeping of Animals.

**23.47A.038 Home occupations.**

Home occupations are regulated by Section 23.42.050, Home Occupations.

**Section 45.** Section 23.48.006 of the Seattle Municipal Code, which Section was enacted by ordinance 118302, is amended as follows:

**23.48.006 Prohibited uses.**

The following uses ~~are~~are prohibited as both principal and accessory uses, except as otherwise noted:

- A. All high-impact uses;
- B. All heavy manufacturing uses;
- C. General manufacturing uses greater than twenty-five thousand (25,000) square feet of gross floor area for an individual business establishment;
- D. Drive-in businesses, except gas stations;
- E. Jails;
- F. Adult motion picture theaters and adult panorams;
- G. Outdoor storage, except for outdoor storage associated with florists and horticulture~~((at))~~ uses;
- H. Principal use surface parking;
- I. Animal shelters and ~~((K))~~ kennels;